Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs (DASD)

Vietnam's Collection and Repatriation of American Remains

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Defense Prisoner of War and Missing Personnel Office

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
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INTERNATIONAL
SECURITY AFFAIRS

14 JUN 1999

Dear Reader:

The following study, "Vietnam's Collection and Repatriation of American Remains," is the product of a three year effort involving many analysts in my own office and specialists at the Joint Task Force – Full Accounting and the Central Identification Laboratory, Hawaii.

As this study explicitly notes, the Vietnamese participated in this effort to an unprecedented degree, sharing insights with U.S. analysts, facilitating interviews with knowledgeable sources, conducting investigations at our behest, and turning over documents in response to our requests. The process of information exchange developed during this study was singularly productive. We anticipate that even more will be learned as we build on this process in the future.

The conclusions reached in this study represent the best answers currently available. We will continue to seek more data about the extent and limits of Vietnam's effort to collect American remains. This is an important subject on which our dialogue with Vietnam continues.

I ask you to read the enclosed study carefully. I think you'll agree that it advances our understanding of a difficult and complicated issue, as well as moving us one step closer to achieving our goal of fullest possible accounting.

Yours truly,

Robert L. Jones

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Vietnam's Collection and Repatriation of American Remains

SUMMARY

This study is an analysis of Vietnam's remains collection and repatriation process, and as such, has been reviewed by knowledgeable senior analysts in the intelligence community for clarity, logic, and overall consistency with intelligence holdings. The Department of Defense Prisoner of War/Missing Personnel Office (DPMO), however, is solely responsible for its contents.

When American military personnel first arrived in Southeast Asia in 1961, North Vietnamese policy, already in place, required local civil and military authorities to document the deaths of foreign military personnel. Where possible, bodies were to be buried and graves maintained. Beginning in the early 1970s and continuing until at least 1983, Hanoi government officials endeavored to recover the remains for eventual repatriation. The Vietnamese have turned over internal documents that recorded these efforts, and they have facilitated interviews with personnel involved. Vietnamese technical experts have also met with U.S. specialists to discuss how the program to recover American remains worked in practice.

Vietnamese documents and witnesses bear out what other sources have reported in the past: more remains were collected and brought to Hanoi in the 1970s than were repatriated during that period. Most of these remains were stored and returned later, most recently in September 1990. Since then, Vietnam has repatriated only remains that were recovered by joint excavation teams or by Vietnamese citizens acting on their own. In other words, no remains recovered by Vietnamese authorities and then stored have been repatriated since September 1990.

The overwhelming majority of remains collected by the central government belonged to American aviators lost in northern Vietnam. The ability of the Vietnamese to recover a given set of remains was almost always contingent on

KEY JUDGEMENTS

- Vietnamese authorities unilaterally located, collected, and stored approximately 300 American remains.
- Available evidence indicates that 270 to 280 have been repatriated.
- We cannot determine if the estimated 20 to 30 discrepancy is real or attributable to incomplete data, but Vietnam probably has records that would answer some of our questions.
- Vietnam had the most success in recovering U.S. remains in the North. Results were dramatically lower in the South and Cambodia.
- There is no credible evidence that Vietnam recovered American remains from Laos.
- Vietnam probably completed recoveries in the North by the late 1970s. We believe the last centrally recovered remains from the South and Cambodia reached Hanoi in 1983.

finding Vietnamese citizens who could point out grave sites several years after burial. This was most feasible in northern Vietnam, where the civilian population and government infrastructure were relatively stable throughout the war. In southern Vietnam and in the border areas of Cambodia, efforts to locate and recover remains generally commenced later, most occurring after 1975. They focused chiefly on persons who died in captivity, and results were uneven. Although some have speculated that Vietnamese forces in Laos were also tasked to collect American remains from areas under their control, we have not been able to discover any concrete evidence to confirm that such collection took place. Our only information relates to Vietnamese efforts to recover their own war dead from Laos.

Past studies by the National Intelligence Council and the Defense Intelligence Agency (DIA) have attempted to assess how many sets of U.S. remains Vietnam might have recovered. Those studies were based chiefly on estimates provided by refugees and other Vietnamese sources. They also relied on scientific analysis of repatriated remains, some of which showed evidence of having been collected and held above ground for an undetermined period before their return. These studies concluded that there was a large discrepancy between the number of remains that sources estimated Vietnam had recovered by the late 1970s (approximately 400+) and the number of repatriated remains that appeared to have been held in storage for long periods (approximately 165+). Past studies assumed this discrepancy (approximately 235+), plus an additional increment to account for potential collection during the 1980s, represented the number of remains still held in storage by Vietnam.

The current study takes into account all of the above information as well as new data gleaned from more than 10 years of on-the-ground investigations in Southeast Asia and from many new witnesses and Vietnamese documents. We still cannot be sure precisely how many remains central authorities ultimately collected or how many they held at any specific time. Nor can we confirm whether the central government still holds remains or whether, as the Vietnamese government asserts, it has repatriated all the remains it recovered. Evidence indicates, however, that the possible disparity between the number of remains collected by central Vietnamese authorities and those later repatriated is far smaller than earlier studies estimated.

- The most dependable determination of whether specific remains were among those stored rests on a combination of physical analysis of the repatriated remains and data from Vietnamese witnesses and documents. Analysis based solely on physical indicators is problematic for two reasons. First, physical indicators of storage (charring or soot damage, odors of musty storage conditions, disinfectant stains) can be caused by factors other than longterm, above ground storage. Second, and perhaps more significant, the absence of these physical indicators does not mean storage did not take place. Data from Vietnamese witnesses and documents show that some remains for which American scientists could find no physical indicators of storage were, in fact, recovered and stored before repatriation.

- A case-by-case analysis of all remains repatriated by Vietnam reveals that between the early 1970s and about 1983, central authorities collected and stored 270 to 280 sets of remains. Between 13 and 15 were non-American Southeast Asian Mongoloids, although Vietnamese authorities probably failed to realize this.

- Over the years, several sources have estimated how many remains Vietnam had collected at any one time, but none could provide hard and fast totals based on concrete data. The four sources having the best access to reliable information, however, provided similar estimates, suggesting that Vietnam ultimately collected approximately 300 American remains. Other sources, who provided higher estimates, had markedly less reliable bases for their reporting.

- There is a disparity of 20 to 30 between the number of remains that our most reliable sources estimate were collected (around 300) and the number that have already been repatriated and were stored (270 to 280). Although much smaller than previously believed, this disparity is still a concern because it could represent remains that were stored but not repatriated.

- Alternatively, the discrepancy could be a function of the limits of our information. Available data are not sufficiently reliable or comprehensive to judge whether this disparity is within the limits of estimative error or represents actual remains yet to be repatriated. Some evidence suggests the latter may be the case.

- In a small number of cases, involving fewer than 10 individuals, direct evidence suggests that central authorities received remains that have not yet been repatriated. In two of these cases, involving five remains, local and district authorities insist that they recovered remains and forwarded them to central authorities. Our discussion with the Vietnamese government about these cases continues. They have investigated unilaterally without turning up information to answer the questions. The U.S. has conducted a complete re-survey of CILHI accessions. Armed with the CILHI findings, we have asked Vietnam to provide additional information and assistance on the cases. The accounting issues on these two cases are complex. Nevertheless, we believe that more will be learned through this dialogue.

- Non-case-specific evidence also suggests possible continued storage of a small number of remains. In 1991, for instance, a Vietnamese official with long experience in this issue told an American counterpart that Vietnam still had a number of Caucasoid remains. He estimated that they belonged to between 56 and 83 persons and characterized them as “odds and ends, such as arm bones and leg bones....” He said Vietnam could not identify these remains without access to the medical records of U.S. casualties, implying that this was why they had not been repatriated. When questioned about this assertion, other Vietnamese officials have denied that the assertion was ever made. Similarly, in the late 1990s, another well-placed Vietnamese official indicated that sometime after December 1990, he was told that

Vietnam still retained American remains. The last date on which Vietnam repatriated stored remains was September 13, 1990.

There is strong evidence that Vietnamese officials maintained an inventory of the remains collected, and this inventory was still in use at least until the early 1990s. We have no reason to believe that Vietnamese authorities lost or destroyed the documents that contain this inventory. A comparison between the entries on this inventory and the remains Vietnam has repatriated could resolve the question of whether remains are still being held. Our experience in dealing with the Vietnamese bureaucracy's attempts to locate such documents, however, makes it difficult to infer anything from their non-provision to date. During the course of the remains study, they have located several documents of value, but of lesser significance, for the purposes of the study. All of our efforts to pursue inventory documents continue.

Since wartime, we have collected a persuasive body of data, some from current or former Vietnamese officials, explaining why Vietnam collected and stored remains. The officials have also provided insights into their government's calculations regarding the protracted timing of repatriations up through September 1990. However, we do not have similar access to sources in current decision-making circles. We do not know whether the Vietnamese leadership decided to exhaust its supply of stored remains when it repatriated 20 in September 1990. Vietnamese officials state that their government no longer holds remains and has no reason to do so, but without a copy of Vietnam's inventory, we see little possibility of resolving our questions.

METHODOLOGY

Analysts at DPMO reviewed all available data on Vietnam's effort to record information about U.S. casualties and to bury and later recover their remains. This very large body of data addresses the history, design, and operations of this effort, as well as its successes and failures. Assisting in portions of this review were the Joint Task Force – Full Accounting (JTF-FA) and the U.S. Army Central Identification Laboratory, Hawaii (CILHI). Information in this study is current as of 27 May 1999.

As part of this study, representatives from the Department of Defense (DoD) engaged in a two-year dialogue with Vietnamese counterparts, in which specialists from both sides met to share information and exchange views about Vietnam's handling of U.S. remains. During the course of

VIETNAM'S CONTRIBUTIONS

- Analytic Exchanges
  - ✓ History
  - ✓ Operating Procedures
- Unilateral Investigations
  - ✓ Unidentified Remains
  - ✓ Cases and Reports
- Documents
  - ✓ Directives
  - ✓ Province Graves Lists
  - ✓ Casualty Reports
  - ✓ Grave Sketches
- Interviews
  - ✓ Officials in Charge
  - ✓ Low Level Personnel

these constructive and increasingly candid discussions, Vietnam conducted investigations to help identify remains already at CILHI, turned over documents, and explained many aspects of how remains collection worked. Vietnamese officials also facilitated interviews with personnel who took part in remains recovery efforts and could relate firsthand what transpired. This productive relationship had a direct effect on the accuracy of our findings. We have been assured that we can expect continued assistance in the future.

ONGOING COLLECTION OBJECTIVES

- Vietnamese Documents
  - ✓ Directives
  - ✓ Inventories
  - ✓ Province Records
- Organizations
  - ✓ Enemy Proselyting Dept
  - ✓ Group 875
  - ✓ Dept of Military Justice
- Specific Cases and Reports

Explicitly noted in this paper are areas in which incomplete information prevents final determinations. In each of these areas, the U.S. continues to employ all possible means to collect additional data. Throughout the course of our review and our dialogue with the Vietnamese, we have aggressively pursued all information, and publication of this paper in no way lessens our interest or efforts. Follow-up continues on two cases that have not been satisfactorily resolved. Also, we have requested additional documents from the Vietnamese government, including the enabling directive that set most remains recovery activity in action, various remains inventories, and additional province records. Collection efforts also remain focused on acquiring additional data on the organizations involved in remains collection and the locations where remains were held before repatriation.

In the meantime, however, we can provide more detailed answers than ever to questions that have troubled American policy makers and families for years.

- How, when, where, and why did the Vietnamese collect American remains?
- How many did they collect?
- How many have they repatriated?
- Are any more still stored?

Our conclusions necessitate reconsideration of how Vietnam handled American remains. They also affect our expectations of what will constitute fullest possible accounting since it is clear that Vietnam doesn't have additional large numbers of remains it could repatriate, as previously believed. Instead, accounting for Americans killed in the Vietnam War will depend on our own ability to recover remains at loss sites across Southeast Asia. In turn, our success will depend on the continued cooperation of the Vietnamese, Lao, and Cambodian governments. Under the circumstances, factors such as the passage of time and the effects of the environment will play a bigger role than ever in determining whether remains can be recovered.

HOW, WHEN, WHERE, AND WHY DID THE VIETNAMESE COLLECT AMERICAN REMAINS?

During wartime, the Ministry of National Defense (MND, or Bo Quoc Phong) was the agency that had principal authority for collecting and maintaining information on U.S. casualties and graves, as well as managing U.S. POWs. Standard procedures called for military units to transmit information about U.S. POWs and casualties via military reporting channels from the lowest levels through the relevant headquarters, district, province, and military region to the Peoples Army of Vietnam (PAVN) high command. These data became part of files maintained by elements of the General Political Directorate, principally the Enemy Proselyting Department, which had primary responsibility for collecting and preserving this information at the central level. Enemy proselyting cadre assigned to military regions, and sometimes at lower levels, collected and transmitted much of these data. This was a relatively minor responsibility for this department, which functioned principally as a propaganda element, as its name implies. It was also responsible for a full range of operations conducted by PAVN against foreign troops, Republic of Vietnam Armed Forces (RVNAF), and civilians. According to one former member of the Enemy Proselyting Department, the organization's other missions contributed directly to the PAVN's war-fighting mission. Because reporting on foreign casualties did not contribute directly to war fighting, it was a relatively low priority.

In practice, the Ministry of Public Security (Bo Cong An) provided operational assistance to the MND on tasks related to remains and POWs. During wartime, for instance, public security personnel assigned to village and district levels helped local military and militia units secure crash sites and oversee the burial of U.S. casualties and the maintenance of their graves. In the North, some American POWs were interned in prisons belonging to the Ministry of Public Security. In those instances, the Ministry of Public Security was responsible for maintenance and security of the detention facility, while the military was responsible for managing the daily routine of POWs. The MND's Department of Military Security provided physical security, and the Enemy Proselyting Department was responsible for prisoner handling and exploitation.

Data from Vietnamese documents and witnesses indicate that sometime in 1969, the MND issued instructions reiterating the responsibilities of subordinate echelons regarding U.S. casualties and graves. Apparently, these instructions prompted local officials to inspect, and in some cases repair, the graves of U.S. casualties. We believe that at this time many, if not all, northern provinces were asked to inventory casualties and graves in their areas so central authorities could update their own information. One military region enemy-proselyting officer from the North explained that he was told to take actions that would facilitate an anticipated peacetime requirement to return the remains of American casualties.

We see a relationship between the commencement of peace talks in Paris in 1968 and the central government's greater interest in U.S. remains during 1969. The 1954

Geneva Agreements, which ended the French Indochina War, had provided for the recovery of the remains of deceased military personnel of both sides. The Vietnamese apparently anticipated that the issue would come up again.

In early 1971, PAVN forces captured large numbers of RVNAF troops in conjunction with Operation Lam Son 719 in southern Laos. When these captives were brought to North Vietnam, they combined with the growing population of American POWs to overwhelm the prisoner-handling capabilities of the Department of Military Security and the Enemy Proselyting Department. As a result, the General Political Directorate began planning for a new organization, Group 875, to deal with all aspects of the detention and exploitation of U.S. and South Vietnamese prisoners *(see Figure 1, Group 875, April 1972-October 1974).* Established in about April 1972, this organization also assumed responsibility for overseeing the collection and maintenance of information on U.S. casualties and graves, as well as the recovery, treatment, and storage of U.S. remains. Group 875's staff consisted chiefly of personnel detached from the Research Department (PAVN's central military intelligence department), the Department of Military Security, and the Enemy Proselyting Department. It also drew from a pool of unassigned military personnel within the MND.

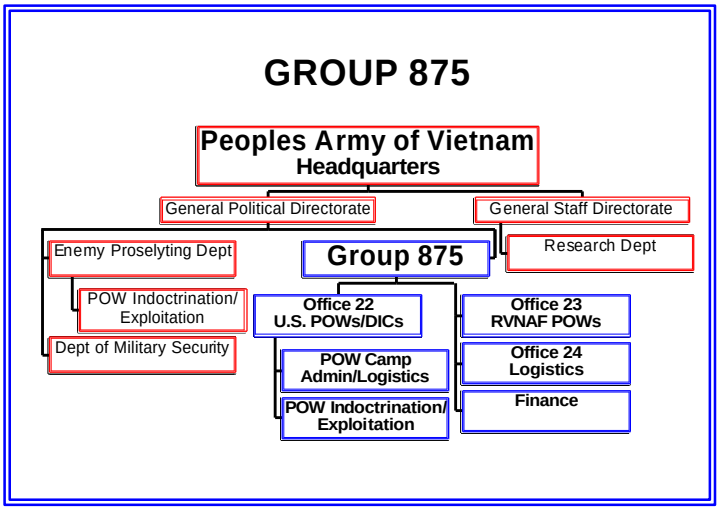

Figure 1: Group 875, April 1972-October 1974

Group 875 was directly subordinate to the General Political Directorate. It was organized into four elements. Office 22 administered the POW camps that held Americans. It also had responsibility for the graves of the 23 Americans who died in captivity in the North and were buried at Van Dien Cemetery in Hanoi. Office 23 administered camps for RVNAF POWs. Office 24 was responsible for logistic support for both the American and RVNAF POW systems, and an office for Finance oversaw expenditures and accounts for all of Group 875.

There is some uncertainty regarding the exact nature of Office 22's responsibility for issues relating to the remains of U.S. casualties who did not die in Hanoi prisons. A former chief of one section of Office 22, Col Doan Hanh, has asserted that Group 875 played no more than a minor role in this effort; he said he had no specific knowledge of remains recovery activities. Members of the Vietnam Office for Seeking Missing Persons (VNOSMP) have indicated that this mission was assigned to a single junior officer, Pham

Teo, who was attached to Office 22 but not part of it. They said Pham Teo worked for Col Hanh. If this mission was compartmented because of secrecy concerns, it is perhaps conceivable that Col Hanh was unaware of the recovery effort. We do not know the identity of Pham Teo's parent organization or which element had physical custody of the remains—the parent organization or Group 875. One former colleague of Pham Teo has reported that Teo acted as liaison between Group 875 and PAVN's Policy Office, which had wartime responsibility for collecting PAVN remains.

According to former members of Group 875, the group's cadre did not routinely take part in the physical recovery of remains. Instead, they traveled to the provinces to explain the policy and procedures, organized record keeping, gathered documents, inspected graves, and collected remains already disinterred. A veteran of Group 875 said that when assigned to the unit in late 1972, he and at least two of his colleagues were given the job of visiting every provincial military command in the North. There they drew up lists of remains in each province. Once the lists were completed, the veteran's job was to monitor the recovery effort from his offices in Hanoi, while military personnel and civilians living in the area of the grave disinterred the remains. Local officials throughout Vietnam, as well as Vietnamese documents, corroborate this approach to the division of labor.

On October 21, 1972, the Prime Minister issued Directive 286, which tasked provincial military headquarters, district and city security police, and concerned local authorities to inspect and reconfirm American pilots' graves. This directive applied to Vietnamese organizations throughout Indochina. According to persons assigned to carry out these tasks, this directive was necessary to authorize the involvement of civil elements in activities assigned to Group 875, a purely military organization. In response, each province appears to have formed teams staffed by military and public security service personnel. In most, if not all, provinces these tasks were delegated to similarly staffed district-level teams. In turn, these teams notified village authorities and military units to collect information on U.S. casualties and graves and forward the results up the chain of command.

Vietnam has given the U. S. a large number of documents that were generated as a result of this directive and cover 23 of the 26 northern provinces. Many of the documents were prepared during November 1972, but follow-up reporting continued through 1973. We have not yet been able to acquire a copy of Directive 286. Nonetheless, the similarities in the reports this directive generated make it possible to extrapolate its requirements and those of supplementary instructions directed to provincial and local officials. Of the 23 northern provinces represented, we have acquired casualty lists for 15. These lists, which contain very similar column headings, usually provide personal data (if available) on the deceased and identify the aircraft type and date and location of loss. They also note whether the remains were found at the time of the loss and, if so, in which village or hamlet they were buried. Some documents describe whether remains were interred in a coffin. Others note whether graves are still present and, if not, why not. In 11 of the 23 provinces, the Vietnamese have turned over sketches that apparently accompanied the casualty lists and showed how to find extant graves. We also have acquired a variety of other records for 10 of the 23 provinces. They include reports on individual loss incidents and graves, lists of downed aircraft, and

documents explaining why remains that had been buried at the time of the loss could not be recovered in 1972.

These documents support what many Vietnamese witnesses have told us, namely that when the central government sought to compile comprehensive data on American casualties and graves in 1972, it did not have a cache of centrally held documents to draw from. Instead, it tasked lower echelons to develop and forward the information. Authorities at military region, province, and district levels appear to have followed the same approach and resorted to creating or recovering necessary data at the local level. It is also noteworthy that

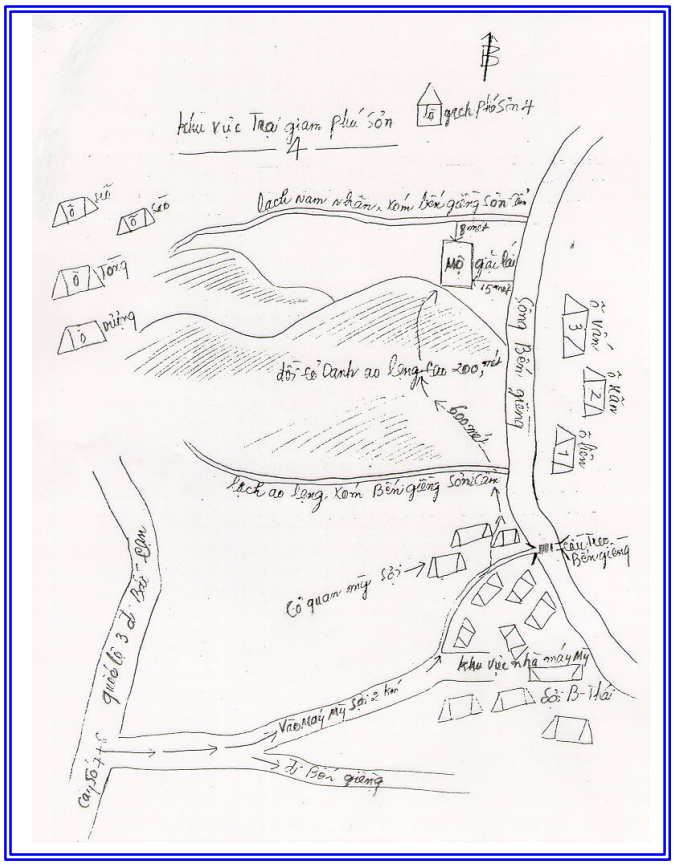

Figure 2: Grave Sketch Showing Location of American Pilot's Grave in Bac Thai Province. Vietnam repatriated the remains from this grave in 1986, and they were identified later that year. This sketch shows the location of the grave relative to local rivers, roads, villages, and houses. Other sketches and grave reports note such details as the names of local people who can point out the grave and the type of vehicle needed to reach the site. Many such records also contained personal data associated with the American, such as name, date of death, and branch of service.

when providing instructions on how to locate graves, these documents, even the rough sketch maps, frequently identify people in the area who can point out the grave (*see Figure 2: Grave Sketch Showing Location of American Pilot's Grave in Bac Thai Province).* We find this a concrete example of the degree to which, even as early as 1972, the ability to recover wartime remains depended on the memory of witnesses rather than written data.

On January 27, 1973, representatives from the United States, North Vietnam, South Vietnam, and the National Liberation Front signed the Agreement on Ending the War and Restoring the Peace in Vietnam in Paris. Article 8b of this agreement addressed each party's responsibility to help each other collect information about military personnel and foreign civilians missing in their areas. Each party was to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains. They

were also to take any other measures required to get information about those still considered missing in action. We believe it is no coincidence that the Vietnamese government issued Directive 286 only a few days after all parties agreed on the outline of the overall peace agreement.

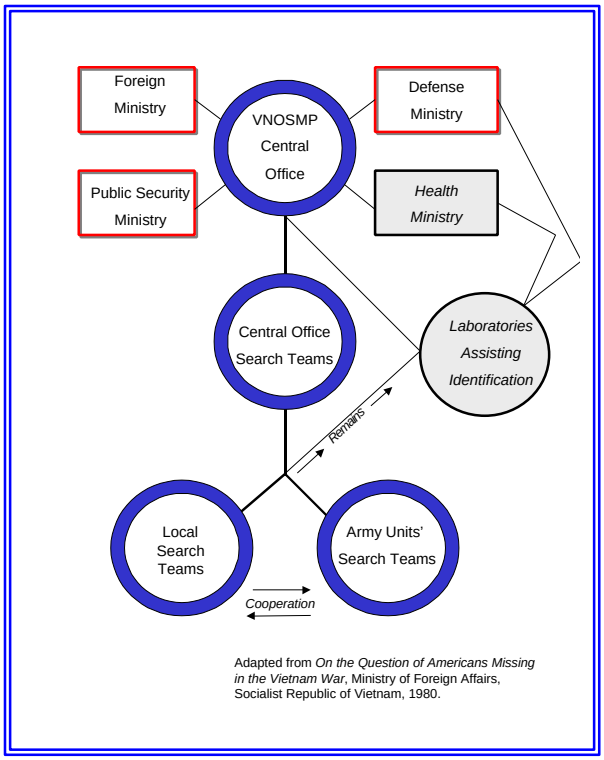

Figure 3: Organization of the Vietnam Office for Seeking Missing Persons (VNOSMP), 1973.

Although Directive 286 authorized the involvement of civilian elements in the missions assigned Group 875, it focused on cooperation between subordinate civilian and military units within Vietnam. To facilitate communication with a foreign government and internal coordination at the ministerial level, on February 9, 1973, the Prime Minister's Office issued Central Directive 34, which created a new multi-agency body, the Vietnam Office for Seeking Missing Persons. (S*ee Figure 3: Organization of the Vietnam Office for Seeking Missing Persons (VNOSMP), 1973.*) This body was composed of a permanent member from the Ministry of Foreign Affairs, who served as its head, and representatives from the MND, the Ministry of Public Security, and the Health Ministry. The VNOSMP's organization and funding were to be determined by the Prime Minister's Office. Its headquarters was in Hanoi. The heads of the four ministries and the chairmen of administrative committees of the provinces (and the cities under direct central administration) were responsible for implementing Central Directive 34.

Central Directive 34 assigned the VNOSMP the following missions:

a) To contact local administrative committees at all levels, units of the regular armed forces, local military and security organs, in order to gather information about personnel missing during the war in Vietnam.

b) To determine the location and take care of the graves of the dead, direct the exhumation, recovery and preservation of the remains.

c) To make a list and record of those remains that have been found and recovered as referred to in item 'b.'

d) To communicate information and repatriate the recovered remains to the parties concerned.

The VNOSMP did not take over the functions assigned to the military or in any way replace Group 875 or its predecessor organizations. It was the conduit through which the Vietnamese government communicated with the U.S. government on POW-MIA issues. One former foreign ministry official noted that the politburo reasoned that because the U.S. Government placed high value on American lives, the recovery of remains was an important and sensitive issue in the United States. According to this official, the politburo wished to use the MIA issue as a bargaining tool to gain political advantage and play on the sympathy of the American people.

For many years, the VNOSMP did not exist as a permanent body. Instead, it essentially functioned as a forum in which representatives seconded from the four ministries met on a temporary and ad hoc basis to coordinate matters related to POW-MIA issues and remains. They also handled American visitors who came to discuss these issues. The role of the Ministry of Health was limited to inspecting remains before repatriation, a task associated with its quarantine responsibilities. After a short time, the Ministry of Health retired from active involvement, and the MND's Medical Department assumed its functions. The MND continued throughout as the executive agent for managing the remains.

We believe several organizations are represented in Figure 3 by the circle labeled "Laboratories Assisting Identification." Over the years, as skeletal remains arrived in central custody, one or more military elements cleaned and treated them for preservation. Later, remains selected for return to the United States were inspected and packed for repatriation by another element, possibly attached to the Health Ministry or the MND. None of these organizations appears to have used sophisticated equipment or procedure or to have attempted to identify remains on a scientific basis. Instead, they based their identifications chiefly on information supplied by local authorities.

Vietnam released the last of the U.S. POWs under the control of Group 875 in March 1973 and one year later repatriated the remains of 23 Americans who died in captivity in the North. Sometime in early 1974, the General Political Directorate issued instructions to disband Group 875, and in about October 1974, it went out of existence. The mission of managing POWs, at this point all RVNAF, reverted to the Department of Military Security, which during approximately the same period was reorganized and renamed the Department of Military Justice.

The mission of collecting information and remains was also transferred to the Department of Military Justice, (*see Figure 4: Remains Collection and Repatriation System, 1964-Present*). Personnel who were involved at the time explain that the chief of Group 875, Pham Thai, had served consecutively as deputy of the Department of Military Security and the Department of Military Justice. When he returned to his parent organization, the Department of Military Justice, the task followed the man. The few people involved in overseeing the recovery operations and the storage of U.S. remains also were posted to the Department of Military Justice. Members of the VNOSMP have explained that, as was the case with Group 875, these officers, including Pham Teo, were

attached to the Department of Military Security/Justice, as opposed to being assigned to it. Again, we do not know the parent organization of these officers nor which element had custody of the remains.

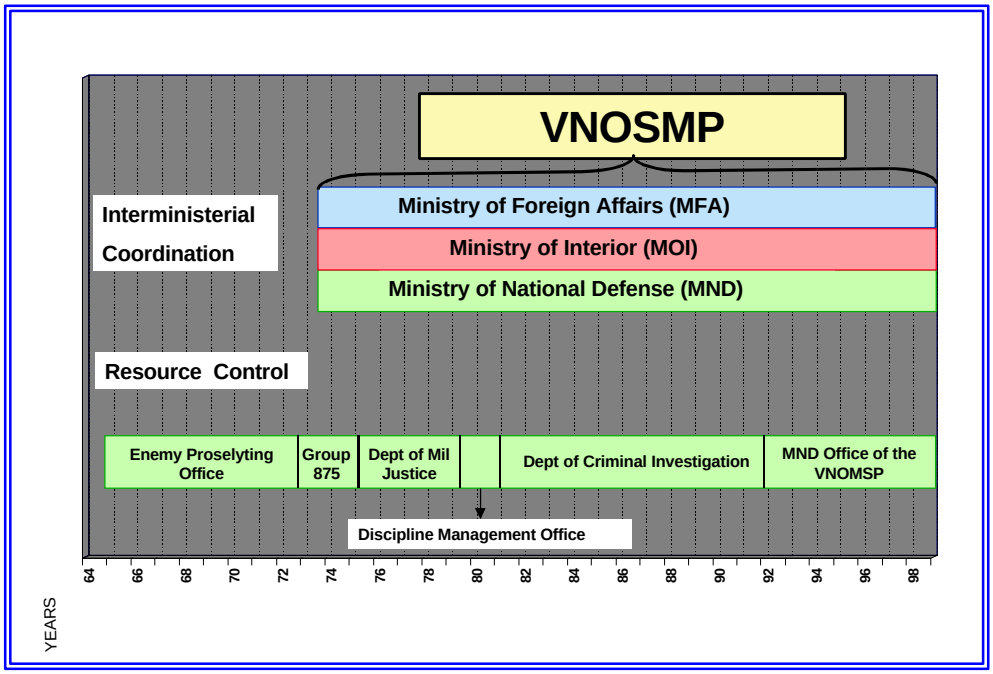

Figure 4: Remains Collection and Repatriation System, 1964-Present.

We believe that by 1976-77, the central government had recovered virtually all U.S. remains from the North that Vietnam would unilaterally collect. As seen in the following section, collection outside the North was another matter. By the mid-1970s, very few, if any, remains from outside North Vietnam had been forwarded to Hanoi. In part, this may explain why the MND promulgated an untitled directive on 27 July 1977, which singled out military regions south of the former demilitarized zone (DMZ) and reiterated requirements to discover, search for, and exhume remains of all Americans and foreigners.

The Department of Military Justice was responsible for remains recovery and storage until it was disbanded in late 1978 or early 1979. Near the end of its existence, the department compiled a summary list, dated November 2, 1978, of American remains that Vietnamese authorities had been unable to recover. We have asked Hanoi to search for a companion document, which we believe was also prepared at this time, listing remains successfully recovered. The record we possess identifies graves that had been lost or destroyed, as well as remains obliterated when aircraft exploded and crashed. All of the losses noted on the list occurred in the North. We believe that officials in Hanoi compiled the list using an earlier generation of reporting, much of which has also been shared with us. We have confirmed via Vietnamese documents and joint investigations that virtually all the remains of Americans named on the 1978 list are unrecoverable. The

few exceptions are the result of mix-ups of personal information relating to individuals in the same aircraft. In these instances, Vietnam repatriated remains with an incorrect name, and the error is repeated on this list.

When the Department of Military Justice was disbanded, most of its responsibilities, including that of remains recovery and storage, passed to the Discipline Management Office. This short-lived organization was reconstituted in December 1980 as the Department of Criminal Investigation. By that time, most of the tasks involved in remains recovery and collection in both the North and the South had been completed. The principal duties left for central officials were limited to maintaining information acquired to date, conducting periodic inventories of remains in storage, and delivering remains to the VNOSMP when ordered to support a repatriation.

According to senior Vietnamese officials, decisions to repatriate remains to the United States were made at the politburo level, with the Ministry of Foreign Affairs recommending a date that would be most profitable in terms of reaping political gain. Within the VNOSMP, representatives from the two other ministries, the MND and the Ministry of the Interior (formerly the Ministry of Public Security, to which it reverted in 1998), were concerned chiefly with implementing politburo decisions. Once the MND learned of the decision to repatriate a specified number of remains, its representatives transferred the correct number from the military site at which they were stored. A military medical specialist prepared and packaged the remains. One former VNOSMP member explained that when deciding which remains to repatriate, members of the organization compared a list of available remains, which was held by the MND representative, with a list of cases on which the U.S. had requested information.

A military forensic specialist, Dr. Vu Ngoc Thu, acted as a consultant to the VNOSMP regarding remains questions posed by the United States. He also attended technical meetings between the two countries. His comments at those meetings suggest that he played a role in examining remains and establishing their identity. Vietnamese officials assert, however, that up until 1988, they called in Dr. Thu only on special occasions. They explain that subordinate levels sent remains and associated identification information to Hanoi. Central officials assumed these data were accurate, so they considered it unnecessary to call in a specialist like Dr. Thu to establish identity.

Beginning in December 1988, the U.S. and Vietnamese specialists began jointly reviewing remains in Vietnam in order to ensure that Hanoi returned only American remains. By this time, growing numbers of Vietnamese citizens had been misled to believe that they could receive money or favorable consideration for immigration in exchange for American remains. This belief gave rise to illegal trading in what were purported to be American remains but in reality were almost exclusively non-American Southeast Asian Mongoloid. By late 1998, Vietnamese and U.S. specialists had examined almost 2,400 such non-American remains.

In September 1990, Vietnam repatriated 20 boxes of remains that it had unilaterally collected and stored. Evidence indicates that none of the remains returned since then was unilaterally collected by central authorities as part of their remains recovery program. We do not know which organization had physical control of the remains in these 20 boxes in 1990. Members of the VNOSMP indicate that while the mission to manage U.S. remains was given to the Department of Criminal Investigation, cadre responsible for carrying out the mission were attached, not assigned, to the department. Again, we do not know the parent organization of these cadre or understand their reporting chain.

Remains Collection outside North Vietnam

The South: Officials in the South confirmed that they received Directive 286 in October 1972, but with a war still on, they made only limited efforts to report information on U.S. casualties and graves. Data from refugee and other sources, as well as from joint investigations in these areas, corroborate these assertions. We have not been able to confirm how much information on American casualties reached Hanoi from the South, when it arrived, or in what form. We do know that some information on Americans who died in captivity in the South reached the North at least by 1973, when the Vietnamese gave U.S. delegates to the Paris peace talks lists naming these individuals. Purportedly representatives of the Provisional Revolutionary Government of the South prepared these lists. They were remarkably consistent, however, with other lists that were turned over at the same time and contained data that could only have been available in Hanoi.

Most of the remains collected in the South were recovered during the mid- to late 1970s. By that time, many soldiers who could have helped locate grave sites had been demobilized and had returned to their homes. Some local residents had moved or emigrated. More than one official has commented that resentment against the Americans was still high after hostilities ended, and many military officials did not want to be associated with this effort. All of these factors had an adverse effect on remains collection in the South. Of the 32 remains we believe were recovered in the South in response to Directive 286, approximately one-third have been determined to be non-American Southeast Asian Mongoloid. This is in sharp contrast to the situation in the North, where we can identify only one such mistake.

Information on official remains recoveries in the military region immediately south of the former Demilitarized Zone is sparse (*see Figure 5, Vietnam: Military Regions, circa 1975*). Reporting from that area indicates at least four remains were recovered and transferred north to the Ministry of Defense in Hanoi in the late 1970s or early 1980s. These remains have not been repatriated, and we have asked the Vietnamese to investigate. We have no evidence indicating that Vietnamese officials attempted to recover American remains elsewhere in this military region.

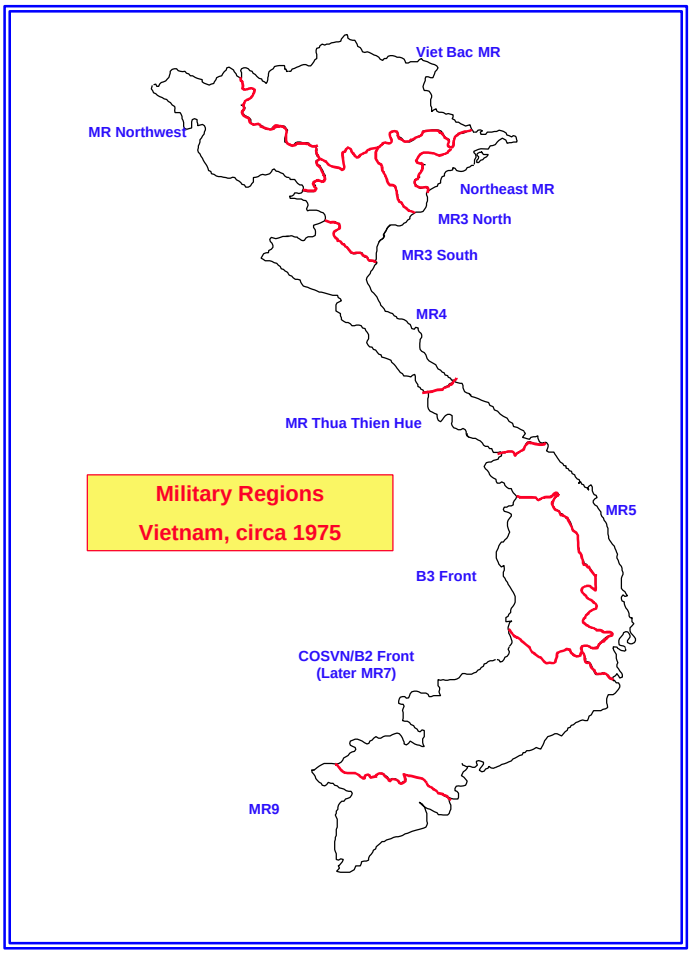

Figure 5, Vietnam: Military Regions, Circa 1975.

In Military Region 5 (MR5), we have interviewed at least 10 Vietnamese who were involved in recovering U.S. remains. Three of these men were tasked in late 1972 to early 1973 with returning to cemeteries where Americans who had died in the MR5 POW camp were buried in order to prepare reports on the graves. According to these men, MR5 forwarded these reports, which included sketches, to Hanoi.

During the 1976-78 period, a four-member Vietnamese team began investigating reports of American graves using data that had been sent back to MR5 from Hanoi. As part of this effort, the team distributed communiqués to district offices announcing the search for American remains and asking anyone with information on the subject to come forward. By 1978, the team had enough data to begin excavating verified graves. The Vietnamese provided the U.S. seven documents dated between April and June 1978, in which local citizens reported 12 graves they believed contained American remains. A sketch map showing the location of the graves accompanied each of these reports. According to one member of the MR5 recovery team, whose signature appears on three of these documents, upon receiving reports of graves, team members traveled to the site, interviewed witnesses, and then employed local villagers to excavate. Later in 1978, the MR5 recovery team focused its attention on the graves of Americans who had died in captivity. According to Vietnamese who participated, the sketches they used to support these recoveries came from Hanoi, not from local district or province officials. Local people, however, assisted in locating and disinterring specific graves.

Sources indicate that MR5 officials washed the remains, put them in individual plastic bags marked with the location where they had been found, and then placed them in wooden boxes. They also labeled personal effects and sent them to Hanoi along with the remains. The outbreak of war in Cambodia and on the Vietnam-China border forced the suspension of this recovery effort in early 1979. Several persons involved reported that

the MR5 recovery team collected between 19 and 21 remains, all of which were sent to Hanoi in early 1979. We are able to confirm that 17 of these remains were repatriated in increments between 1985 and 1989. About one-half of them were later determined to be non-American. A member of the VNOSMP has indicated that American anthropologists examined an unknown number of additional remains from this area during joint forensic reviews, but the remains were not repatriated because they were determined not to belong to Americans. We cannot verify this assertion because there was frequently no data associated with the remains examined in this manner.

In 1988, the Vietnamese unilaterally repatriated the remains of two Americans who died in the B-3 Front, which was located in the area where the borders of Vietnam, Laos, and Cambodia meet. One was seized from remains traders, but we do not know who disinterred the other, or when this occurred. According to CILHI, the second remains show forensic evidence of storage. Our own investigations in this area turned up information solely relating to Vietnam's efforts to recover the remains of its own war dead. We spoke to several members of a group that returned to the cemetery of an abandoned wartime hospital in 1975 and recovered PAVN (not American) remains. They reported that they could find only a portion of the remains buried there. They said that the hospital area had been extensively bombed, destroying many of the graves. Several reported that although they had worked at or visited the hospital during wartime, they still had difficulty finding it due to its remote location and rapid jungle growth. The challenges these men faced in finding Vietnamese graves, far more numerous than those of Americans, may help explain the paucity of American remains collected in this area.

Several sources reported that shortly before Operation Homecoming in 1973, Hanoi ordered the Central Office for South Vietnam (COSVN) to recover and turn over U.S. remains at the same time POWs were to be released. COSVN was the political organization responsible for the areas south of the B-3 Front and MR5. These orders also came down through military channels to the military headquarters for the same area, which was known as the B-2 Front. There is some evidence that a very small number of remains were located at this time. According to one source, however, the orders to collect remains were rescinded at the 11th hour. Although he first was told this was due to U.S. cease-fire violations, he subsequently learned that the provinces in the South proved unable or unwilling to carry out this order, and it was rescinded to avoid embarrassment. This source specifically noted that B-52 bombings had destroyed some American graves.

As in MR5, a focused effort to collect remains in the B-2 Front did not begin until after hostilities ceased. By this time, Military Region 7 (MR7) had assumed most of the B-2 Front missions. A former officer, who was charged with overseeing remains collection, reported that he asked subordinate units to inform his office if they had remains. He said those few who turned in remains sometimes did so anonymously to avoid the notice of their colleagues, who might misinterpret their actions as showing sympathy to the United States. He said he collected 11 boxes of remains. He gave us a copy of a signed and dated receipt noting that these remains were transferred to

representatives of the MND's Department of Criminal Investigation on May 2, 1983. This receipt indicates that the 11 boxes actually contained 14 remains. Vietnam repatriated all these remains in 1989. CILHI subsequently determined that five were non-American. Five others have been identified as Americans, and four are still unidentified.

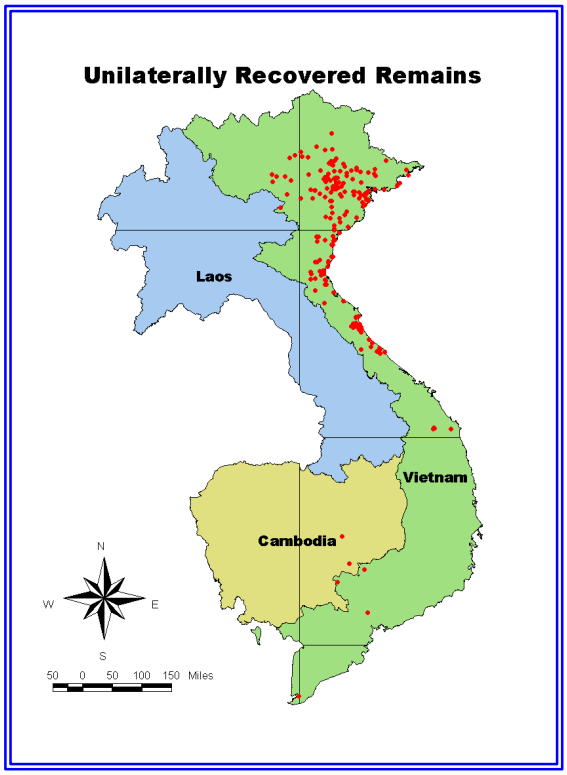

Figure 6: American Remains Unilaterally Recovered by Vietnam

In southernmost Military Region 9 (MR9), we interviewed several former members of the MR9 POW camp staff. At least three of these men were assigned the task of returning to former campsites to recover the remains of Americans who died in POW camps in the U Minh Forest. According to these men, there were two efforts to find American remains in MR9. The first took place in 1972 or 1973, when the recovery team found the remains of one American. Vietnam repatriated these remains in 1985. One of these witnesses, a former camp commander, said that he had orders to maintain the graves of two other Americans, located at another camp, so they could be repatriated later. When he returned to locate the graves, however, the area in question had burned, and he could not find them. Another former camp cadre reported that he took part in a second failed attempt to locate these two graves after 1975. We have no information indicating that officials in MR9 tried to locate the remains of Americans other than those who died in captivity.

Cambodia: Vietnam has repatriated the remains of two Americans who died in the POW camp system managed by Vietnam's B-2 Front (*see Figure 6: American Remains Unilaterally Recovered by Vietnam).* These camps were located at different times on either side of the border; when these men died, the camps were in Cambodia. Theirs were among the 14 remains collected by MR7 and repatriated in 1989. These areas of Cambodia would have been in the COSVN/B-2 Front's area of operation at least until mid-1975, and PAVN forces subordinate to MR7 would probably still have had access to these locations up to that time.

Another POW camp system in northeastern Cambodia was managed by Vietnam's B-3 Front. Information on American POWs who died in this area appeared on the 1973 Provisional Revolutionary Government's (PRG) Died-in-Captivity List. We have no evidence that Vietnam attempted to recover the remains of the two Americans who died in this camp.

Laos: We have not found evidence that the Vietnamese government directed a recovery effort in Laos that specifically targeted American remains. Although we formerly believed that Vietnam had returned the remains of one American lost in Laos, new information reveals that this is not the case. Laos is thus the only area of Indochina from which Vietnam has not returned any American remains, and the Vietnamese assert that they did not recover the remains of any Americans lost there.

In contrast to other areas of Indochina, we have few data to verify that assertion. One report from a single source alleges that the Vietnamese may have collected the remains of 16 Americans lost in Laos, but this man stated explicitly that he did not know for sure. Elsewhere in Indochina, we received numerous anecdotal reports from refugees and villagers about local officials disinterring American graves. In Laos, the only similar reporting relates to Vietnam's effort to recover PAVN, not American, remains. We continue to investigate the possibility that Vietnamese workers might have discovered American remains by accident during these efforts, but we have not discovered any incident in which this was the case.

If the Vietnamese had attempted to recover the remains of Americans killed in Laos, we believe their efforts would have followed a pattern similar to that established in the South. For instance, we would expect that in 1972, Vietnamese units operating in Laos received Directive 286. As in southern Vietnam, however, PAVN units in Laos were operating under wartime conditions, which would inhibit their ability to comply with the directive. The names of two Americans who died in Laos appear on the 1973 PRG Died-in-Captivity List. We do not know, however, whether Vietnamese units in Laos reported this information to Hanoi in 1972-73 in response to Directive 286. It had most likely already been reported at the time of the prisoners' deaths in 1970 and 1971.

The United States has only one Vietnamese document that records a significant amount of data on American losses in Laos. It is a list of enemy aircraft downed by Vietnam's Group 559, which was responsible for transportation, logistics, and communications along the Ho Chi Minh Trail. This document identifies Vietnamese units that claimed to have shot down enemy aircraft, including American, Royal Lao, and South Vietnamese planes and helicopters. It contains very little locational data and even less information on U.S. casualties. There is no information on graves.

Vietnamese veterans assigned to units in Laos report that conditions permitted them to prepare few records and to preserve even fewer. Many of these soldiers were in artillery and air defense units that moved frequently. Others were in units transiting the trail. Some troops worked in a series of relatively fixed commo-liaison stations along the Ho Chi Minh Trail, but these establishments typically were very primitive, and personnel often lived out of their rucksacks. Veterans of service in Laos report that they had few luxuries such as writing materials. Combined with limitations in electronic communications, this situation placed a high value on brevity in reporting, consistent with what we observe in the Group 559 document.

If operations in Laos had followed the model found in southern Vietnam, we would expect few, if any, efforts to collect American remains until after hostilities ceased in 1975. Soon after the war ended, however, PAVN units began demobilizing and returning to Vietnam, leaving very few military forces in Laos who could help locate graves and collect remains. Further, we have no evidence indicating that Vietnamese units prepared detailed reports on American grave sites. In northern Vietnam, where officials could rely on written reports and sketch maps to provide a general location for a grave, success in finding a specific grave site frequently depended on aid from local villagers. This was not possible in Laos. Not only had most PAVN forces withdrawn, but most of the Lao villagers who had traditionally occupied these areas had fled during wartime to escape U.S. and allied bombing.

Recent reporting disproved our former belief that Vietnam had repatriated the remains of one American who had been lost in Laos. According to U.S. records, this man was lost very close to the border with Vietnam. On the basis of subsequent evidence, we no longer hold that view. Information turned over with these remains in 1988 indicated they had come from Quan Hoa District, Thanh Hoa Province, which is the Vietnamese administrative division adjacent to the recorded loss location in Laos. In 1993, Vietnam turned over a summary list of aircraft downed by Thanh Hoa Province forces, which also placed this loss in Quan Hoa District. A review of U.S. reporting determined that the loss coordinates reported in wartime gave degrees and minutes only. These coordinates lacked an entry for seconds, which made the location imprecise. The location indicated was so close to the border that a small error or adjustment places it in Vietnam. To clear up this discrepancy, in May 1997 the Vietnamese at our behest conducted a unilateral investigation into this loss. According to the report of that investigation, the pilot had ejected and been killed on the Vietnamese side of the border, about 2 kilometers from the location given in U.S. records. The report indicated that the aircraft had crashed just on the Lao side of the border. Local people said they buried the body on the spot in Vietnam and later disinterred the remains at the direction of Vietnamese district authorities.

After wartime, Vietnamese military units, veterans, and civilians returned to Laos on many occasions to recover the remains of Vietnamese soldiers who died there. With the cooperation of the Lao authorities, these remains were repatriated to Vietnam, where they were typically buried in one of many cemeteries for veterans, commonly known as Heroes' Cemeteries. Vietnamese officials consistently report that none of these efforts resulted in the recovery of American remains.

Several accounts in the Vietnamese press document the recovery of remains of PAVN war dead from Laos and their return to Vietnamese provinces all along the border. According to a representative from the office charged with receiving these remains in Quang Tri Province, officials used several means to identify the remains. Frequently, Vietnamese soldiers buried their comrades with a penicillin vial or pillbox containing a piece of paper with their names and addresses. In the absence of such data, remains were identified based on unit patches, insignia, or personal effects. This official indicated that

some remains determined to be Lao were returned to Laos. Unidentifiable remains were buried as unknown. He insisted, however, that his office never recovered or received any remains from Laos believed to be American. If U.S. remains had been found, he said his office would have reported the fact to province officials, who would have notified the central government immediately.

The "Warehouse"

We do not know with certainty where Vietnam stored the remains it collected. Our best information comes from a Sino-Vietnamese mortuary technician commonly known as "the mortician." Expelled from Vietnam in 1979 along with thousands of other ethnic Chinese, he first reported while in a refugee camp in Hong Kong and later testified before the U.S. Congress. His information on Vietnam's collection of American remains focused attention on the location of a remains "warehouse."

According to the mortician, during the 1969-73 period, American remains were brought to his workplace in Van Dien Cemetery near Hanoi for cleaning and treatment, after which they were taken away. He said that in 1969-70, he saw military personnel who managed the remains take caskets and other items he used in his work from a room in a compound at another site in Hanoi, 17 Ly Nam De Street. The mortician said that during the 1973-77 period, he went to this address on several occasions to work on American remains.

In January 1980, a congressional delegation led by Congressman Lester Wolff traveled to Hanoi and asked to be taken to 17 Ly Nam De Street. The Vietnamese indignantly denied that they were holding remains and refused the request. In August 1980, however, the Vietnamese took a press delegation accompanying United Nations Secretary General Kurt Waldheim to the compound. Members of the delegation reported they found no sign it had ever been used to store remains.

We believe that American remains initially held at 17 Ly Nam De Street were moved sometime between the last time the mortician was called to work there in May 1977 and the visit by the press delegation in August 1980. Reporting from several sources indicates that they were probably taken to a room in a military prison in Bat Bat District, west of Hanoi. One source indicates that American remains may also have been treated at this facility in earlier years before they were sent on to Hanoi. Since at least the early 1960s, this prison belonged to the same military organization that had responsibility for the management of American remains. Our most recent report on remains at the military prison at Bat Bat was in December 1981. We have no sources who were present there after that time. An American investigator visited this site in April 1992 and found that the room in question was being used as a storage site for construction materials. We do not know whether American remains were moved from the Bat Bat military prison, and if so, when.

We have asked the Vietnamese where they stored remains but have not received a persuasive answer. The question appears to be sensitive. It was addressed most recently during discussions associated with this study. At that time, members of the VNOSMP reiterated their government's consistently stated position that remains were never stored at 17 Ly Nam De Street. They also stated that while a few remains collected in the general area of the military prison at Bat Bat might have been kept there temporarily before being transferred to central authorities, large numbers of American remains were never stored there.

When pressed to identify where remains were stored, members of the VNOSMP stated in 1998 that remains were held at offices at 3 Duong Thanh Street in Hanoi before their repatriation. We are not confident, however, that we have an accurate understanding of what the Vietnamese intended to say about this location or that the individuals who asserted this were in a position to know. Several offices belonging to PAVN's General Political Directorate were, and still are, located at this address, which U.S. personnel have inspected. In the past, two organizations that were responsible for managing American remains, Group 875 and the Department of Military Justice, had offices there. Up until this latest report, however, we had been told that only a few remains were temporarily kept at this address. One of our sources for this information was Pham Teo, who we are confident would have known.

HOW MANY REMAINS DID VIETNAM COLLECT?

We do not have concrete data, such as lists or photos, which provide direct information on how many American remains Vietnamese central authorities collected. Our only information on the subject comes from Vietnamese sources who purported to have acquired inside information through various means. As noted below, these sources are of varying reliability, and their information must be viewed with caution.

Numerous Vietnamese have reported on every aspect of Hanoi's remains collection program, including policy making, motivations, locations of stored remains, and individual exhumations. Only seven, however, provided information that directly addresses the total number of American remains that Vietnam collected. The table below summarizes information from these seven sources. Those having the best placement and access to reliable data are listed in bold type, and those whose information is more problematic are shown in italics. One source, the mortician, has provided two estimates based on different methods of observation. The date shown in the table is the date at which the source alleged the information to be current, rather than the date he reported it.

SOURCE	*DATE*	*ORIGIN*	*NUMBER*
Mortician	**1977**	**Remains he personally worked on**	**280-310**
Former official	**1979**	**Hearsay from a well placed source**	**300-400**
Current official #1	**1985**	**Hearsay from firsthand source**	**Nearly 300**
Current official #2	**1990s**	**Hearsay from firsthand source**	**302**
Mortician	*1977*	*Estimated boxes*	*400*
Refugee # 1	*1973*	*Second hand hearsay*	*Almost 600*
Refugee # 2	*1975*	*Hearsay by admitted dispatched agent*	*781*
Refugee # 3	*1981*	*Estimated bags of remains in a room*	*360-600*

The first and best known of these sources, the mortician, reported that between 1969 and mid-1977, he was detailed on an irregular basis to help clean and treat American remains collected by the military. He provided the following rough estimates of the remains that he had worked on from 1969 to 1973:

Mid-1969 to late 1970	20-30 sets
1971	30-40 sets
1972	30-40 sets
1973	"Almost" 200 sets
Total	280-310 sets

The mortician reported that he had personally processed remains from 1969 to 1972. He supervised Vietnamese military personnel who prepared "almost 200" sets in 1973. From 1974 to mid-1977, he was periodically detailed to 17 Ly Nam De Street in Hanoi to repair damage to remains. He estimated that he reprocessed about 30 to 40 sets that were decaying or developing mildew.

The mortician also reported that on several occasions up to mid-1977, he was able to look through a doorway into a room at 17 Ly Nam De Street where he saw a large number of boxes placed on risers. The remains he processed were taken out of this room, and when he finished his work, they were returned to it. Based on the size of the room, the number of risers, and the size of the boxes, he estimated that the room contained about 400 boxes. He speculated that the number of boxes equaled the number of U.S. remains.

As noted in the October 1996 National Intelligence Council Assessment, "Vietnamese Storage of Remains of Unaccounted for US Personnel," the mortician's "quantitative estimates are not precise and are subject to qualification." He consistently characterized his figures as estimates, which he described in round numbers. He did not have access to a cumulative list of remains, and he was not able to count the boxes in the room at 17 Ly Nam De Street. Moreover, he did not know whether all the boxes were full or contained American rather than Vietnamese remains.

The inherent qualifications in the mortician's estimates aside, he reported reliably in all areas where he claimed firsthand knowledge. We judge his aggregate estimate of 280 to 310 remains he personally processed during 1969-73 to be similarly reliable owing to his firsthand observation. In contrast, we cannot be sure that the 30 to 40 remains he says he reprocessed during 1974 -1977 were in addition to this total, although he believed it so. Finally, we consider his estimate of 400 boxes only a rough ballpark guess.

The second source is a former official of the Vietnamese government who later left as a refugee. He claimed to have acquired his information in 1979 from a high-ranking military officer, Vo Van Thoi, who as chief of the Enemy Proselyting Department would have had access to reporting on American remains. According to this officer, Vietnam had collected 300 to 400 remains and was keeping them at an unspecified location in northern Vietnam. He believed that all these remains belonged to aviators lost in the North, because remains collection in the South had only just gotten under way.

The third and fourth sources are current or former Vietnamese officials involved in efforts to account for American casualties. They acquired their information from the military officer, Pham Teo, who reportedly maintained an inventory of American remains and was assigned to count totals on a quarterly or semiannual basis. These sources reported independently and several years apart. The first stated that as of 1985, Pham Teo told him that Vietnam had records on nearly 300 American remains. The second reported that in the early 1990s, Pham Teo said that Vietnam had collected a total of 302 remains. Col Teo was uniquely placed to have the most accurate and up-to-date information possible. Unfortunately, he suffered a debilitating stroke in 1997, and he is no longer able to perform his professional duties.

Because they had access to reliable information, we judge that the four sources listed in bold provided our most credible reporting on the number of American remains the Vietnamese collected. They provide relatively consistent totals of around 300, and thus appear generally corroborative. We caution, however, that we cannot independently confirm any of their data through other intelligence means.

Four additional reports provide considerably larger totals but, for different reasons, each is unreliable. The first is the mortician's estimate of the number of boxes he saw in a room that he believed contained American remains. As noted above, this estimate is inherently uncertain, due to both his method of estimation and the unverified assumption that the number of boxes correlates to the number of American remains.

Three refugees provided similarly flawed information. The first reported that in 1973, his friend told him he had learned from another man that almost 600 American remains were being stored in a warehouse near Haiphong. The hearsay nature of this report makes it difficult to corroborate or investigate, but other data indicate that so large a number of remains had not been collected by this date. Moreover, remains turned over to central authorities were kept in Hanoi during this period, not in Haiphong.

The second refugee admitted that he was dispatched by opposition elements in Vietnam to conduct activities to undermine the new communist government. He said that he had learned in 1975-76 about the effort to collect U.S. remains from well-placed cadre and official documents, but he only later realized he could use this information to bargain for support for his resistance group. At that time, he said he carefully tried to remember and reconstruct all he had learned. He went on to provide a detailed breakdown on the number and type of remains collected to date and the locations in which they were maintained. In all, he reported that Vietnam had collected 781 American and other non-Vietnamese remains. The subtotals of the types of remains he alleged were collected are implausible, however, and the locations he said they were collected from are inconsistent with all other reporting. In general, the content of his reporting suggests he might have had general hearsay knowledge that Vietnamese officials were seeking to locate and recover American remains. He had misrepresented his knowledge as firsthand, however, and embellished his story in the process.

The third refugee source was a former inmate in the military prison in Bat Bat District during 1981. He reported that one night he had climbed a fence attempting to get to a fruit tree and discovered a room in the adjacent compound that held bags of remains. He said that as the bones were very large, he believed they were American, and other inmates confirmed his conclusion. This source provided other information that has proved reliable. He also accurately described Bat Bat military prison, including the location of a separate walled compound which numerous Vietnamese sources reported contained a storeroom for American remains. Guided by his interviewers, he attempted to estimate the number of American remains in this room by reconstructing the size of the room, which he had seen through an unlit doorway at night. Relying on his memory, he then tried to estimate the number of bags of remains that could have been piled in a space this size. Interviewed on two occasions, he estimated variously that the room could have contained roughly 360 to 600 bags of remains. Under the circumstances, although he has a reliable record of reporting and has demonstrated placement and access to information on U.S. remains, we cannot assign much credibility to his estimates.

Although the best of our sources provided intriguing information about the number of remains that Vietnam collected, the ultimate utility of their information in determining whether Vietnam still holds remains is questionable. It is not clear if each of these sources reported only on American remains collected as a result of the central government's organized effort or if some also reported on remains turned over by Vietnamese citizens. According to the dates of their reporting, the mortician's estimates of the number of remains he personally worked on, as well as the 1979 data from the former Vietnamese official turned refugee, all appear to relate to remains collected by the central government. In contrast, by the time the other two reliable sources acquired their information, remains discovered by local Vietnamese citizens had begun to make their way into central government custody. By the 1990's, hundreds of such remains – nearly all of which were later determined to be Mongoloid – had been acquired. The figures reported by these two officials could not accommodate these additional remains.

Figure 7: Unilaterally Repatriated Remains. These two examples show the variation in the content of remains unilaterally repatriated by Vietnam. The relatively complete remains on the left are those of an American serviceman who died in captivity and was buried near a Vietnamese POW camp located in Cambodia. The minimal remains shown on the right relate to an aviator of an F105 that exploded on impact east of Hanoi. Specialists at CILHI cut samples from two of the bones shown at right in order to conduct DNA analysis, which assisted in identifying these remains. The ruler shown at right is one yard long and is marked metrically. It provides a scale referent only for the right hand photo.

HOW MANY REMAINS HAS VIETNAM REPATRIATED?

On 31 occasions between March 1974 and September 1990, Vietnam repatriated remains purported to be those of Americans. CILHI has determined that 442 remains were repatriated during this period. Ten were excavated by or turned over to a joint field team. The rest, totaling 432, are generally characterized as "unilaterally repatriated," meaning that the United States was not directly involved in their recovery. Without additional data, it is impossible to resolve the discrepancy between our sources' estimates that Vietnam collected approximately 300 American remains and the fact that Vietnam has repatriated 432 unilaterally collected remains.

Analysis of the content of these 442 remains reveals that 286 were identified as Americans or other Westerners, 2 were non-human, 82 were non-American Southeast Asian Mongoloids, 7 were unidentifiable fragments of remains, and 65 have not been identified. Although it is tempting to assume that the 286 identified remains account for the approximately 300 reported by our sources, close analysis of the remains and the circumstances of their recovery by Vietnam belie this simple explanation.

Types of Unilaterally Repatriated Remains

The unilaterally repatriated remains are of four types, based on how the Vietnamese government acquired them.

- Remains collected by local authorities and military units in direct response to central government instructions issued in preparation for and in the wake of the 1973 Paris Peace Agreements. The bulk of these remains came from northern Vietnam and were collected by the late 1970s. A much smaller number were collected by military authorities in southern Vietnam, who also recovered at least two American remains from areas of Cambodia that had been under Vietnamese military control during wartime. Available information indicates the last of these reached Hanoi in 1983. The remains were maintained in central government custody, some for as many as 17 years, until their eventual repatriation. We believe these remains should appear on Vietnam's reported inventory of centrally collected remains, and they comprise the group that we have come to think of as stored.

- Twenty-three remains of U.S. POWs who died in captivity in the formal prison system in the North. These remains were buried in Hanoi and repatriated in March 1974. Unlike other unilaterally repatriated remains, they were the responsibility of cadre who managed the POW system in the North. Throughout the war, the burials themselves were the responsibility of the Hanoi Municipal Cemetery Management Committee. These remains were never held with other remains that had been collected by central authorities. Both DPMO and CILHI distinguish them from other "stored" remains.

- Remains acquired from private citizens and remains traders. These remains were turned in to local jurisdictions by Vietnamese citizens, or seized from them. Most relate to losses in southern Vietnam, and the central government took custody of the majority during the 1980s. Private citizens appear to have discovered some by accident, for instance while searching for precious woods or aircraft wreckage. A few other U.S. remains were recovered by persons who were expressly hunting for them in the mistaken belief that they would receive a reward or favorable consideration for immigration. This misperception spawned a small industry of remains collectors and traders in Vietnam. It also resulted in a few "private" warehouses holding hundreds of what were alleged to be American remains. In fact, only a very few turned out to be American. As to whether or not these remains were stored, evidence is not always clear on when they were first discovered or how long they were kept by district or province officials before the central government became aware of their existence. Although all were transferred to the same central government element that maintained custody of other U.S. remains, Vietnam appears to have repatriated most of them fairly soon after they reached central authorities. We do not know if any remains of this type were incorporated into the larger group of centrally collected remains.

- Four remains recovered from southern Vietnam following direct appeals by U.S. officials. On the first occasion, in February 1976, Vietnam repatriated the remains of two Marines killed on April 29, 1975, during the U.S. evacuation of Saigon. They were recovered at the behest of Senator Edward Kennedy and repatriated in February 1976. In 1977, following a request by the Woodcock Commission, Vietnam repatriated the remains of a retired U.S. government employee who died in prison in Saigon in 1976. The last remains were those of an American with dual French citizenship who returned to Vietnam in 1975 to locate his wife and children but was arrested and died in a regional prison. Vietnamese central authorities may not have known that he was an American until a U.S. Government employee wrote a letter to the Vietnamese mission to the United Nations reporting his status. Vietnam repatriated his remains very soon thereafter.

Historical Patterns of Remains Repatriations

The historical record reveals that through September 1990, Vietnam used remains repatriations as a tool to support its political aims. Returning remains was a way to signal favor with certain actions or trends in the relationship. Repatriations also served as a way to keep the U.S. engaged by issuing reminders that Vietnam possessed something the U.S. wanted. The pattern was established immediately after the end of the war during negotiations over the repatriation of the remains of the 23 Americans who had died in the formal POW camp system in the North. Although U.S. representatives were permitted to visit their grave sites in May 1973, the return of their remains was delayed for many months as the Vietnamese attempted to link their repatriation with concessions on other issues. All 23 were eventually returned in two increments during March 1974.

The practice of timing remains repatriations to support political goals became a common one *(see Figure 8: Identified Remains Repatriated by Vietnam, by Year of Return).* So too did the custom of returning remains to U.S. officials Vietnam hoped to influence. In 1977, they turned over 12 remains to members of a visiting delegation headed by Leonard Woodcock. In September 1977, 10 days after the United States abstained on a vote in the United Nations, thereby allowing Vietnam to take its seat there, Vietnam repatriated 22 remains. In 1978, Vietnam turned over 11 remains to a delegation headed by Congressman Sonny Montgomery. No remains were repatriated during 1979-80, when relations with the United States were seriously strained following Vietnam's invasion of Cambodia in late 1978 and its border war with China.

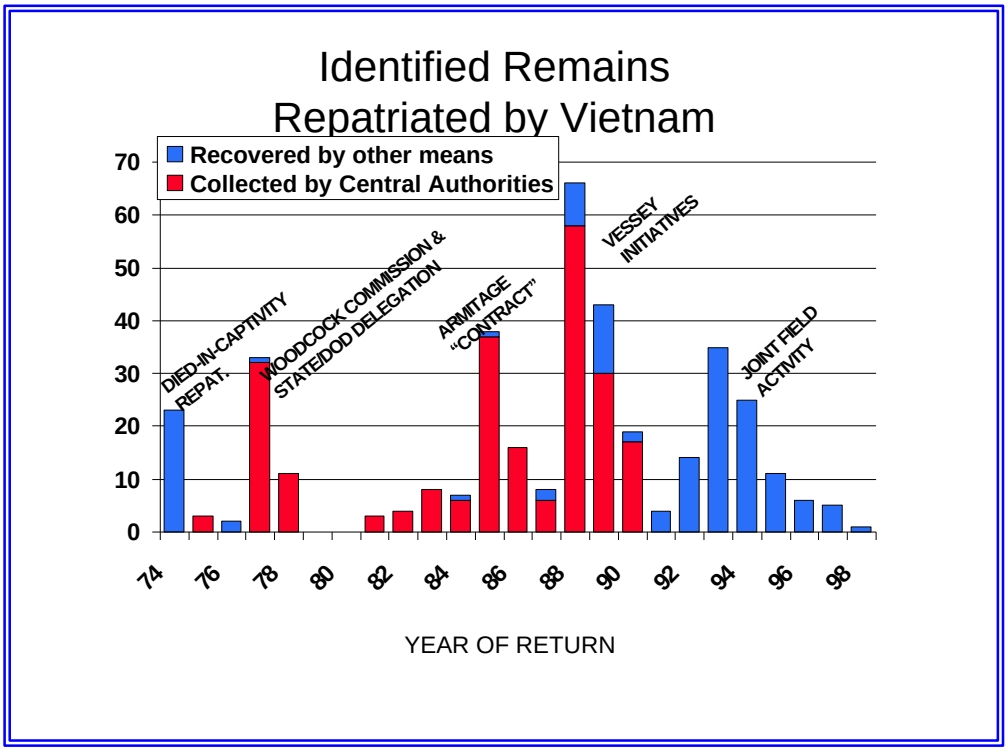

Figure 8: Identified Remains Repatriated by Vietnam, by Year of Return

As U.S. efforts to renew cooperation on accounting proceeded, Vietnam repatriated small numbers of remains each year from 1981 to 1984. Deputy Assistant Secretary of Defense Richard Armitage visited Hanoi in 1982, and again in 1984, trying to revive efforts to account for missing and killed Americans. In the latter trip, he obtained a formal agreement to accelerate accounting efforts. A series of diplomatic contacts resulted in Vietnam's 1985 agreement to repatriate additional American remains. That year, Vietnam returned 38 remains, the largest yearly total up to that date. Secretary Armitage's third visit to Hanoi in January 1986 was followed in April by the repatriation of 22 boxes of remains, but after that time, movement again stalled.

To energize progress on accounting, President Ronald Reagan appointed General John W. Vessey, USA Ret., to be the President's Special Emissary to Vietnam for POW/MIA affairs. Repatriations again increased in response, the timing of some still appearing tied to political events. For instance, in December 1988, Vietnam repatriated 38 boxes of remains, the largest number ever returned at one time. Many observers believed Vietnam scheduled this repatriation to send a positive message to incoming President George Bush.

Another example occurred in September 1990, within days after the U.S. announced it would abstain in an upcoming UN vote over which Cambodian parties would represent that nation. With this abstention, the Vietnamese-backed Cambodian government was awarded Cambodia's seat. At that time, U.S. forensic specialists were in Vietnam taking part in a scheduled joint forensic review, inspecting a large number of remains that had been seized from remains traders. All of these remains were determined to be non-American. At the end of this review and without prior announcement, Vietnam brought out 20 remains that were markedly different from those that had come before and were immediately identifiable as American. Evidence indicates all of these were collected by central authorities and stored for various periods.

Since that occasion, in keeping with U.S. requests, remains repatriations have all coincided with scheduled joint operations and have become regular and predictable occurrences. Vietnam has returned all remains through established channels to designated U.S. officials. Almost all remains returned since September 1990 were either recovered by or turned over to joint teams. The few exceptions are those in which provincial or other local authorities discovered American remains and forwarded them directly to Hanoi rather than to joint field teams.

CILHI's Forensic Evidence of Storage

Until recently, virtually the only way to identify which remains were stored after collection was through observation and analysis of the physical characteristics of repatriated remains. Findings were based on a combination of scientific and forensic interpretation, relying on its specialists' professional experience with similar cases in which the circumstances were known.

Over the years, specialists at CILHI evolved a methodology for determining whether the remains exhibited evidence of burial, aboveground storage, and/or post-skeletonized burning. In 1997-98, in support of this study, CILHI reviewed and updated its analysis of each set of remains repatriated by Vietnam. This review confirmed that the last time Vietnam repatriated remains that showed evidence of storage was in September 1990. It also confirmed that remains repatriated since that time were all recovered by joint U.S.-Vietnamese excavation teams or turned over either to officials of the VNOSMP or to members of a joint team.

In the course of this review, CILHI identified 219 remains returned unilaterally by Vietnam that exhibited forensic evidence of storage. As of April 1, 1999, 172 had been identified, and 47 were still undergoing analysis. Two of these related to two German civilians who died in a POW camp in central Vietnam that also held Americans.

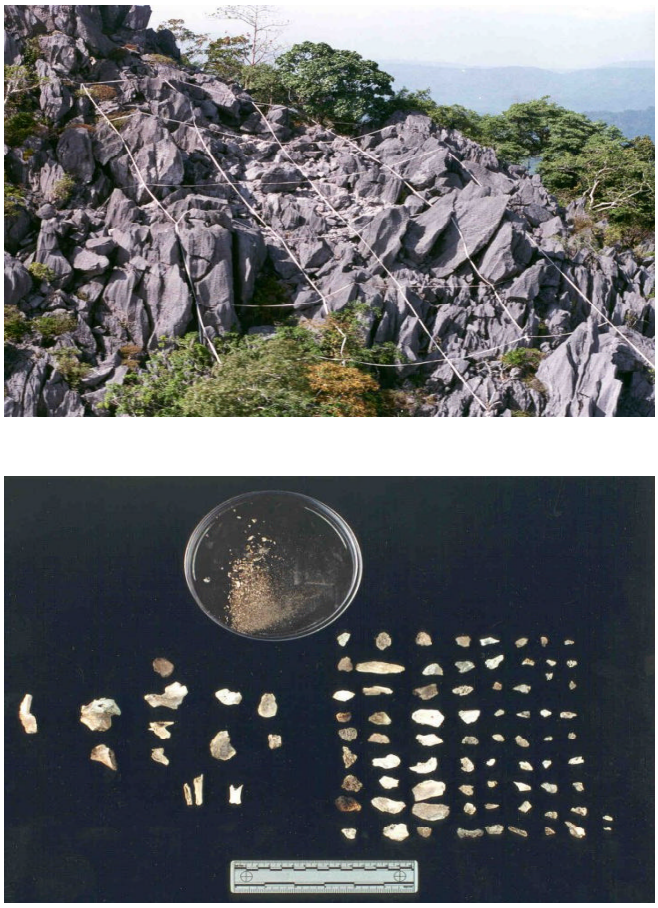

Figure 9: Excavation site with remains recovered. The upper photo shows a B57B crash site, which has been divided into taped off grids by a joint U.S.-Lao team. This aircraft crashed into a mountain, and the force of the impact and explosion caused a rock slide that buried the wreckage under large and unstable boulders. Due to the steep and dangerous terrain, the team had to use a helicopter to reach the site. The landing site was so small that only one skid could land, and team members jumped off while the helicopter hovered. In some areas, team members were forced to rappel down the site. Excavation lasted 25 days and resulted in the recovery of the remains shown in the lower photo. A six-inch ruler provides a scale referent. Material evidence found at the scene indicated both members of the crew were in the aircraft at impact. DNA analysis resulted in the identification of both aviators.

In judging whether burial had occurred, specialists looked for erosion, ground water staining, and the presence of soil, sand, or mud on the bone or in the bone cavities. Other signs of burial include the presence of insect damage, root and/or earthworm intrusion, and a tan, reddish, brown, or ivory coloration.

Specialists considered that the following conditions constituted evidence of storage or warehousing: charring or cutting of dry disarticulated bones; a combination of smoke and soot damage; odors of decay, disinfectant, or musty storage conditions; adipocere or ligamentous tissue still adherent to the bone; extraneous items found on the remains, such as paper, string, plastic, disinfectant stains, or writing; and commingling of remains when circumstances exclude the likelihood of commingling at the recovery site.

Noted separately were those remains that displayed scorching or smoke or soot damage that clearly occurred after skeletonization.

CILHI routinely cautioned that its judgments and assessments on storage were inherently subjective and imprecise because there are no tests, measurements, or means of standardization to arrive at these determinations. "The examination of skeletal remains can yield considerable information concerning what has occurred during the interval between death and repatriation, but not as much as desired. Some observations can provide good hard evidence of what has occurred; some are necessarily subjective and inferential. There are real limitations to the data that can be obtained…."

Evidence of Remains Collection from Witnesses and Documents

Independent of CILHI's determinations, DPMO analyzed Vietnamese documents and the testimony of Vietnamese witnesses and other sources for evidence that remains were collected at the direction of the central government. Unlike CILHI, we considered not only remains determined to relate to Americans or other Westerners, but also remains identified as Mongoloid. Also unlike CILHI, we considered evidence on remains not repatriated. Finally, we have defined as "stored" only remains that were located and collected at the express direction of central authorities, not those known to have been found by local citizens acting on their own initiative.

Based on this analysis, DPMO identified 274 remains that were located and collected at the direction of the central government. We found concrete evidence from witnesses and/or sources to support our conclusions for 263 remains. We determined an additional 11 identified remains were also stored, based on their location of loss, date of repatriation, and our understanding of how remains collection progressed. The 274 remains that DPMO established were stored include 249 that have been identified and 25 that are still under analysis at CILHI. To account for possible errors, we have chosen to describe the 274 figure in general terms, as an estimated 270 to 280 remains. We believe this usage recognizes the limits inherent in our data.

DPMO based its determinations in part on the testimony of knowledgeable Vietnamese sources. Over the years, refugees and witnesses in Vietnam reported on how specific remains were buried, their grave locations, and their later recovery by government officials. Our joint teams talked to Vietnamese citizens who documented the location of a grave and local villagers who helped excavate the remains. We interviewed district officials who collected remains exhumed in local villages and then reburied them in a central location in order to facilitate later transfer to province authorities. Our teams spoke with persons who disinterred remains from these secondary burial sites and with one man whose job it was to load remains on a truck heading to Hanoi. We interviewed officials assigned to various provinces and military regions, who collected and transmitted information on these remains, as well as the remains themselves, to Hanoi. We also met with central government officials who ran the program and took custody of

the remains. Many of these sources had only general information, but others provided data that can be correlated to specific Americans.

Information on the collection and storage of specific remains also comes from analysis of Vietnamese documents. Since 1988, Vietnam has provided copies of its own records that supported official efforts to document the deaths of U.S. casualties, record the locations and conditions of U.S. graves, and exhume the graves. Analysis of these contemporary documents, often in conjunction with the testimony of relevant witnesses, revealed information about the outcome of the remains collection effort. Some of this evidence is very direct, such as a record that notes that remains collected in a given village were sent to province authorities in 1975. In other cases, the evidence applies to a group of remains. Witnesses and records in Quang Binh Province, for example, indicate that 24 remains were recovered and sent to Hanoi at the same time (1973-76). DPMO analysis indicates that 23 of these were repatriated, and the 24th may have been lost during burial and recovery, despite what records and witnesses maintain. We concluded that all 23 of these repatriated remains were stored, including 2 that are still not identified and 1 that was recorded with an incorrect case association in Vietnamese records. CILHI found physical indicators of storage on only 9 of the same 23 remains.

Other evidence of storage derived from Vietnamese documents is indirect, based on an extrapolation of our understanding of Vietnamese records, their purposes and uses, and their implications for remains collection. For example, in late 1972 to early 1973, under orders from the central government, northern provinces reported to Hanoi on U.S. casualties in their areas, noting where graves were located and explaining why some remains were not recoverable. Military officers assigned to manage the collection program indicate that they used the resulting lists, grave sketches, and reports to guide their recovery efforts. In virtually all cases for which we have additional evidence from witnesses or documents, we found that when a grave was noted as still extant on these documents, remains were unilaterally recovered shortly thereafter. We thoroughly investigated the few exceptions. In all such cases we confirmed that when it came time for Vietnamese officials to exhume the listed remains, the graves could not be found or the remains turned out not to be present. We therefore concluded that barring evidence to the contrary, if Vietnam unilaterally repatriated remains listed on these documents, then they were collected at the direction of central authorities and should be considered stored.

Comparison of CILHI and DPMO Conclusions

It is not surprising that CILHI and DPMO differ on their evaluations of repatriated remains, since they used different methods and measures. In all, CILHI detected physical evidence of storage for 219 unilaterally repatriated remains, while DPMO found evidence pointing to 274.

One major difference lies in DPMO's decision to characterize as stored only remains that were located and recovered at the direction of central authorities. This excluded those that came into central government custody by happenstance after their

discovery by local people. The second major difference lies in the fact that Vietnamese witnesses and documents provided evidence of collection and storage in cases for which CILHI could detect no physical indicators.

The similarity of findings is also significant. Evidence from documents and witnesses corroborated 85 percent of CILHI conclusions. The 35 remains for which only CILHI found evidence of storage all relate to remains that, according to other information, Vietnam officials acquired from local citizens or seized from remains traders.

DPMO found evidence that Vietnamese central authorities had collected and repatriated 90 remains for which CILHI had not been able to detect any physical evidence of storage. Among these 90 are 13 that CILHI has determined to be Mongoloid. CILHI anthropologists took another look at each of these 90 remains, singling out a few that specialists said showed evidence of burial only. CILHI noted, however, that physical indicators of storage might not always be present on stored remains. In turn, DPMO again reviewed the evidence on these few remains and reconfirmed its findings of storage.

ARE ANY MORE STILL STORED?

Based on available information, it is not possible to confirm independently whether Vietnam has repatriated all the American remains it collected. We do not have access to inventories, complete records, or other information that would provide a definitive answer to this question. In the absence of such concrete evidence, we must look to other, less reliable indicators of whether Vietnam might still hold remains. Unfortunately, none of these is conclusive.

There is a possible discrepancy between the number of remains reportedly collected and the number repatriated. Although the two figures are very close, there is a shortfall between the number of remains that sources reported Vietnam collected (approximately 300) and the number repatriated (270 to 280). While much smaller than previously believed, this gap of approximately 20 to 30 remains has serious implications for our effort to reach fullest possible accounting. Unfortunately, however, as of April 1999, some of the information used to identify this gap could not be verified, and other data are incomplete. This means that none of these figures is hard and fast, and each could err in either direction. Thus we cannot determine whether the shortfall is real or accurate, whether it reflects errors in our sources' estimates, or whether we failed to identify repatriated remains that should have been counted as stored.

In two cases, involving five remains, there is strong evidence indicating that remains were collected and taken to Hanoi but not repatriated. During the remains study these cases have been under discussion with the Vietnamese government. At our request, the Vietnamese investigated these cases, without turning up information to resolve our questions. For its part the U.S. then conducted a re-survey of CILHI accessions. In returning the

question to Vietnam, we have requested additional information and assistance on these cases, however, and we believe that more can be learned.

On two occasions, Vietnamese officials provided information to U.S. personnel indicating that Vietnam still had remains it had not repatriated. Although these statements are potentially equivocal, they warrant serious attention. We are continuing to follow up on both.

- In July 1991, a member of the VNOSMP reported that Vietnam had a number of Caucasoid remains that their own specialists were having trouble identifying. He said that these remains, which did not include teeth, were partial, consisting of arm and leg bones, for instance. He did not know a precise figure but estimated they could number between 56 and 83. It was not clear if he was referring to numbers of remains or bones. This official said Vietnam could not identify these remains without access to the medical records of U.S. casualties, implying that this was why they had not been repatriated. When questioned about this assertion, other Vietnamese officials denied it occurred. Vietnam has not repatriated any remains that we can associate with this report.

- During the late 1990s, another Vietnamese official reported that he learned in December 1990 or early 1991 that Vietnam still had enough remains for two additional repatriations. The last occasion on which Vietnam repatriated stored remains was September 13, 1990. After later questioning, the official explained that he had not been referring to stored remains, but only to remains collected from other sources, such as local people or remains traders. Another official present asserted that the first official had been referring to remains that were later presented to a joint forensic review. We cannot confirm or refute either explanation except to validate that the person identified as the original source of this information would have had accurate information.

Several observers maintain that an examination of the factors that motivate the Vietnamese government's decision making would provide insights as to whether Vietnam is still holding American remains. In fact, persons on both sides of the issue use such contentions to support contradictory conclusions, namely that Vietnam does or does not still hold remains. Notwithstanding such assertions, given the nature of available data, discussion of Vietnamese motivations is speculative. There is a persuasive body of data, some from active and former Vietnamese officials, explaining why Vietnam collected and stored remains and what figured into official calculations regarding the timing of repatriations. In contrast, we do not have similar reporting from inside current decision-making circles. We do not know whether Vietnam decided to return the last of the remains it held in September 1990 or simply stopped repatriating these remains.

The Vietnamese probably have records, however, that would answer this question. There is strong evidence that the Vietnamese maintained an inventory of the remains they collected. In February 1973, in central government Directive 34, which established the VNOSMP, the Prime Minister ordered that such an inventory be prepared. Several

sources reported that Vietnamese officials maintained records on the remains they collected, and officials involved have confirmed this. In 1992, Vietnam turned over a copy of a 1978 document, prepared by the Department of Military Justice, which lists remains that could not be recovered. Despite our repeated requests, we have not been able to acquire a companion list of remains that were recovered, which even our Vietnamese counterparts agreed would have been created at the same time.

In response to requests for records of this type, the Vietnamese generally replied, without amplification, that they had already provided all the documents they possess. In the absence of a more compelling explanation, these assurances lack credibility. Our experience in dealing with the Vietnamese bureaucracy, its penchant for controlling information, and its reflex toward secrecy, however, make it difficult to draw conclusions from the failure to provide these records.

In recent months, the U.S. has asked Vietnam to provide additional archival documents prepared in conjunction with their inventories of the remains they collected. During the course of the remains study, the U.S. has asked Vietnam to provide additional archival documents prepared in conjunction with their inventories of the remains they collected. In fact, during the July 1998 and January 1999 meetings, the Vietnamese turned over documents specifically aimed at assisting the research objectives of this study. While the documents provided filled in significant pieces of the puzzle, they were not as significant as the inventory and recovery lists or the charter document requested above. We also asked Vietnam to clarify a number of other problematic issues. All of these efforts continue. At this time, however, without additional data, it is not possible to provide a more definitive answer to the central question motivating this study: "Does Vietnam still hold U.S. remains?"

APPENDIX 1: HOW DOES THIS STUDY DIFFER FROM PAST STUDIES?

This study involved a labor-intensive effort to evaluate all data on U.S. losses, remains, and graves within specified geographical areas. Using this approach, we attempted to identify, on a case-by-case basis, which remains Vietnam recovered during its program to collect American remains, and which it did not. The object was to discover if a particular set of remains had been buried at the time of the incident and later recovered at the behest of central authorities or, if not, why not.

Information to support our conclusions was drawn from a synthesis of wartime accounts of the loss and postwar reporting from refugee and other sources. It was also based on new data that were not available to earlier researchers. This new information came from investigation in the field and examination of Vietnamese archival documents. It came from Vietnamese citizens who described what they observed at a particular loss site or learned in the course of attempting to recover American remains. Technical exploitation of associated wreckage and other material was also important, as was a comprehensive examination of Vietnamese news photos, museum exhibits, and material evidence preserved from wartime. Document analysis focused on assessing which remains were buried, which graves were reported to higher authorities, how Vietnamese documents characterized graves in terms of recoverability, which remains became the object of a collection attempt, and the result of that attempt. In addition, analysts at DPMO evaluated all source data to determine whether there was circumstantial evidence (apart from physical evidence) to suggest that Vietnam had collected and stored American remains before repatriating them.

Earlier studies were limited to information available at the time of their preparation. The current study has considered all the same evidence but has updated conclusions to reflect the vastly increased data available in 1999.

The 1987 Special National Intelligence Estimate (SNIE), "Hanoi and the POW/MIA Issue"

This paper focused principally on Vietnam's approach toward accounting and the prospects for a resolution of the POW/MIA issue. To establish a baseline for calculating the range of options open to Vietnam, the SNIE also addressed, in passing, the ability of Vietnam to repatriate American remains or provide information on what happened to U.S. personnel. The SNIE asserted, without amplification, that Vietnam had already recovered and was warehousing between 400 and 600 remains, and that it had material evidence that could help determine the fate of other Americans. The lower figure was based on the mortician's estimate that he had seen 400 boxes. The higher figure was derived by assuming that if 400 remains had been collected by 1977, perhaps 50 percent more had been collected in later years. As already noted, however, DPMO considers the mortician's 400 figure to be at best a rough estimate, and currently available data reveal that the assumption that Vietnam recovered a large number of remains during the 1980s was unfounded.

"Americans Missing in Indochina: An Assessment of Vietnamese Accountability," prepared in 1991 by the Special Office for Prisoners of War and Missing in Action of the Defense Intelligence Agency

This study was based on DoD's understanding, as of 1991, of how Vietnam's remains recovery system worked. Also important was reporting by knowledgeable sources regarding how many remains Vietnam had already collected and CILHI's forensic analysis of repatriated remains. Using this combination of data, the authors projected how many remains might have been collected in specified areas of Indochina. These projections were not case specific but were based on an aggregate of wartime data from U.S. records.

The principal difference between the 1991 DIA study and the current DPMO study, which was prepared by some of the same analysts, lies in the great volume of additional information that had been collected by 1999. These data permitted analysts to update information on what happened to Americans beyond what was known during wartime. In case after case, the new data revealed that the mere fact that the Vietnamese knew about the death of an American during wartime did not necessarily imply that more information was available in later years. Nor did it mean that Vietnam would be able, or attempt, to recover the remains.

The additional data also demonstrated how Vietnam's remains collection system worked in practice, as opposed to theory. In 1991, DIA analysts assumed that since orders to collect American remains would have been transmitted to PAVN units in the South, Cambodia, and Laos, these forces would and could have complied, although with less success than was achieved in the North. We have since learned, however, that units in the South and Cambodia made only limited efforts to comply with these instructions, and that far fewer American remains were recovered from those areas than the DIA study posited.

While earlier analysts had to rely solely on CILHI forensic analysis to determine how many stored remains Vietnam had actually repatriated, DPMO has been able to employ additional data from Vietnamese documents and witnesses. Since 1991, we have acquired a large number of internal Vietnamese records that document attempts to recover American remains. We also talked to participants, who provided candid accounts of their activities. On the basis of this new information, we have revised upward the number of repatriated remains that central authorities recovered, which in turn reduced our estimates of the number that might still be held.

Finally, using the combination of all these data, we have concluded Vietnam recovered approximately 300 American remains. Authors of the 1991 DIA study estimated 400+.

Comparison of the conclusions reached in the two studies reveals that the 1991 study overestimated the numbers of remains that Vietnam was able to collect in all parts

of Indochina. Comparison of the estimates for the other geographic areas reveals that in each, the Vietnamese were able to locate and recover fewer remains than anticipated. Although the numbers themselves are rough, rounded estimates, the discussion below reveals the magnitude of these differences.

- North Vietnam: The DIA study noted that as of 1991, Vietnam had repatriated 145 American remains that, according to CILHI, exhibited forensic evidence of storage. That study assumed that all had come from losses in the North. The study also estimated that 220 to 240 additional remains from losses in North Vietnam had been collected but not yet repatriated. In total, the study estimated that Vietnam had recovered 365 to 385 American remains from the North. Our current study, based on a case-by-case review, found that Vietnam recovered only 240 to 260 remains in the North, or approximately two-thirds of the 1991 study's estimate.

- South Vietnam: The 1991 study's estimates for the South were even more inflated. Relying principally on projections of how Vietnam's effort to locate American remains might have worked, the study estimated that 150 to 200 remains could have been recovered from the South. Current evidence indicates that only about 35 to 40 were recovered, or about one-fifth of the 1991 study's estimate.

- Laos: The 1991 study estimated that Vietnam had recovered 50 to 90 American remains. Our current study found no evidence that Vietnam had collected any American remains in Laos.

- Cambodia: Both studies concluded that Vietnam recovered very few American remains from Cambodia. The 1991 study estimated 5 to 10; our current study found evidence for only 2.

In summary, some of the same individuals participated in the 1991 DIA study and the 1999 DPMO study. They understood the methodology used in the past and were aware of all the information available at the time. The differing conclusions of these studies result solely from the large body of new data currently available.

The October 1996 Intelligence Community Assessment, "Vietnamese Storage of Remains of Unaccounted US Personnel"

This document focused exclusively on the assertions in the 1987 SNIE that Hanoi had warehoused 400 to 600 sets of American remains. Prepared in conjunction with the declassification of the 1987 SNIE, this document noted that when reviewing the previous estimate to ensure protection of sources and methods, the intelligence community developed reservations about the figures quoted. The author of the 1996 assessment discovered that in preparing the SNIE, drafters had dropped original language characterizing the 400 to 600 figures as estimates. The figures quoted were "based on

limited direct evidence whose reliability was open to question. The 400 figure was not a precise point estimate, and the 600 figure was based either on uncorroborated hearsay or was the result of questionable extrapolation." Given the roughness of these estimates, the study concluded, they should not serve as a firm baseline for establishing U.S. policy. Although the Vietnamese government had collected and stored remains, "without further research, it was not possible to estimate with a high degree of certainty the number of American remains that were under Hanoi's direct control at any point in time." DPMO agrees with these conclusions.

The April 1998 National Intelligence Estimate, "Vietnamese Intentions, Capabilities, and Performance Concerning the POW/MIA Issue (U)"

This report responded to a congressional request for an intelligence community assessment of two issues: Vietnamese cooperation on POW/MIA matters and the so-called "1205" and "735" documents that were found in the Russian archives in 1993. This National Intelligence Estimate is classified, but an unclassified paragraph therein accepts the conclusions of the Intelligence Community Assessment.

APPENDIX 2: WHAT IS THE SIGNIFICANCE OF SPECIAL "LIST" CASES?

Over the years, negotiators identified groups of cases for priority pursuit in order to explore various themes. Some of these groups of cases also appeared likely candidates for remains collection by central Vietnamese authorities. Close examination of Vietnam's remains collection system, as well as the cases in these groups, however, reveals that inclusion in these groups was not a reliable indicator of the ability of Vietnam's central government to recover remains.

Vietnam Priority Case List

Seeking to "illuminate the live prisoner issue," Presidential Emissary John Vessey asked DoD to identify individuals who might have survived and, unknown to the U.S., become POWs. He reasoned that these would be the best candidates for having been left behind as live POWs after the known captives were released during Operation Homecoming in 1973. General Vessey decided that if we could determine what happened to each of these individuals, we would have a better idea of the possibilities that a live POW could have been left behind. As part of this effort, DoD identified 296 individuals for priority investigation (see *Figure 10: Southeast Asia Priority Cases, 27 May 1999).* They included 196 lost in Vietnam, 81 in Laos, and 19 in Cambodia. Approximately 80 percent of those from Laos and 90 percent from Cambodia were lost in areas controlled by the PAVN.

As of May 27, 1999, evidence was still inconclusive regarding the fate of 43 of the 196 persons on the Vietnam Priority Case List, 76 of the 81 on the Laos list, and 16 of the 19 on the Cambodia list. We have determined through joint investigation that 122 of the total 296 died and did not become prisoners. The remains of 39 were identified and returned to their families.

	LAST KNOW ALIVE	DEATH CONFIRMED	RESOLVED	TOTAL
VIETNAM	43	116	37	196
LAOS	76	5	0	81
CAMBODIA	16	1	2	19
TOTAL	135	122	39	296

Figure 10: Southeast Asia Priority Cases, 27 May 1999

When the original Priority Cases were selected, it was theorized that by virtue of the requirements for selection on this list, if the individuals had died, they had done so while in Vietnamese custody or in proximity to Vietnamese forces. This led some observers to conclude that the remains of these individuals should be among the easiest or most likely for Vietnam to collect. Repeated investigations of these cases, however, have demonstrated that this hypothesis was invalid.

Instead, available evidence indicates that as in other types of losses, two factors most directly influenced whether Vietnam later recovered the remains of Americans involved in Priority Cases. The first related to the unique circumstances of the loss, and the second to the geographical loss location. When looked at on a case-by-case basis, there is no evidence that would cause us to suspect that Vietnam still holds the remains of any of the 122 individuals who were identified as involved in Priority Cases but who have been determined to have died.

A comprehensive review of available information on these 122 individuals leads us to conclude that the remains of 27 are not recoverable. Some of these Americans died when their aircraft hit the ground, and remains were either destroyed in the crash or so fragmented they could not be recovered. In still other cases, graves were later lost or destroyed. For example, the bodies of three Americans originally identified as priority cases were buried on riverbanks, and their graves later eroded away. Two others were buried on hillsides that later eroded, destroying the graves.

In some Priority Cases, we have determined that U.S. information was in error, and neither the individual nor his remains were ever in enemy custody. Evidence indicates three Americans believed to have been in proximity to enemy forces actually died when their aircraft crashed at sea. Another drowned when his parachute landed in the middle of a river, and evidence indicates his body was never found.

Moreover, as demonstrated earlier in this study, in many areas Vietnamese authorities did not attempt to collect buried remains. Case-by-case analysis, as well as data from witnesses and documents, reveals that Vietnamese authorities recovered the remains of very few Americans killed in southern Vietnam and Cambodia, and we have no evidence of any recoveries in Laos. Contrary to earlier expectations, this has also proved true in some of the more remote areas of northern Vietnam as well. This geographic reality applied to Priority Cases as well all other losses. It also applied to cases in which individuals died and were buried near sites occupied by Vietnamese forces.

Analysis of Priority Cases in which remains have been returned and identified or are still undergoing analysis at CILHI reveals a consistent picture. Of the 39 Priority Cases in which remains were returned and identified, only about 40 percent were recovered by Vietnamese central authorities and stored. Of the 23 Priority Cases in which fate has been confirmed and remains are under analysis at CILHI, only one that was repatriated in 1989 was stored. The rest were either jointly recovered during U.S.-Vietnamese excavations or turned over after local Vietnamese citizens found them.

In summary, evidence indicates that Vietnam did not recover additional remains from this group of cases, beyond those already repatriated. We have investigated each one of these losses numerous times. Based on the unique circumstances involved in each case,

we have concluded that our best hope for the recovery of these remains lies in finding witnesses who can point out a grave that we can jointly excavate.

Special Remains List Cases

In August 1993, the U.S. Government presented Vietnam with a list of 98 individuals for whom we believed the Vietnamese had knowledge of death and the disposition of remains. As of May 27, 1999, the remains of 19 of the 98 had been returned and identified. The evidence was of four types:

- photographs depicting the remains of Americans killed, but whose remains have not yet been repatriated;
- official Vietnamese "graves registration" documents that list the names of Americans killed in several different provinces, but whose remains have not yet been repatriated;
- cases of Americans who were officially reported by the Vietnamese government to have died while in captivity, but whose remains have not yet been repatriated;
- instances where it has been reliably reported that remains have already been recovered, but the remains have not yet been repatriated.

Since the creation of this list, each of the cases has been investigated at least once. As with the Priority List Cases, we found that each of the Special Remains Cases must be considered on an individual basis.

We also learned more about the significance of the kinds of evidence used to select Special Remains Cases. Each type of evidence demonstrated some sort of knowledge on the part of the Vietnamese government at some time in the past. We found, however, that this did not necessarily indicate that more information is, or ever was, available. Nor could we assume that Vietnam could produce additional information today.

As another example, we have photos of the body of one man whom we know Vietnamese forces buried in late 1968, along a road in a remote section of northern Vietnam. We interviewed the photographer who took this picture. He related that he went to this spot only once, took several shots, and then sent the undeveloped film back to his employer, the Vietnam News Agency (VNA), from whose archives we later acquired them. There is no evidence to suggest that Vietnamese officials who tried to locate American remains in this province had access to these photos. Even if they had, the photos show only undifferentiated jungle and would likely have been of no assistance in finding a grave site several years after burial.

We also know more about so-called “graves registration lists” than we did when the Special Remains List was drawn up. In particular, we have learned that some of them were lists of casualties, not of graves or remains that were collected by central authorities. Other documents acquired later, as well as local investigations, confirm that Vietnam was not able to recover all of the remains on these lists.

Similarly, multiple investigations into cases in which Vietnam reported that Americans died in captivity revealed that contrary to our hopes, Vietnam was later unable to locate and recover all their remains. For example, two prisoners, who were each very ill, died as they were being moved from one site to another. We have talked with the guards who accompanied these two Americans and were present at their deaths and burials. Evidence indicates that Vietnamese officials never attempted to recover their remains. Moreover, both Americans died in such remote locations that not even persons present at the time can now locate their graves. In another example, two other Americans prisoners, who the Vietnamese agree were captives, were killed during escape attempts. Both were buried near where they died, and not in established locations near a prison camp. In one case, Vietnamese officials returned to the nearby POW camp in MR5 and recovered the remains of Americans buried there, but they did not search for the grave of the escapee. In the other case, in the B3 Front, there is no evidence to suggest that Vietnamese ever returned to recover the remains of the persons who died in the camp, not to mention those of the other escapee.

Finally, the Special Remains List included a small number of cases in which the U.S. had reports that Vietnam had recovered remains that had not been repatriated. One of these reports claimed that multiple remains had been found at a site in Nghia Binh Province, and it was speculated they might relate to a helicopter loss involving four Americans who are still unaccounted for. Further investigation revealed, however, that the source of this information was talking about a ground engagement. As there are no loss incidents that match these circumstances, we now believe the remains he reported on did not belong to unaccounted for Americans.

In summary, case-by-case analysis indicates that the losses on the 1993 Special Remains List are not likely candidates for remains recovery and storage by Vietnamese authorities. As with other losses in Southeast Asia, accounting for these Americans will depend on our own ability, working with the relevant Indochinese government, to recover remains.

Photo Cases

This group of cases is based on combat photos from Vietnamese files depicting deceased American personnel, personal effects, or aircraft wreckage. In 1993, U.S. officials presented many of these cases to the Vietnamese in two “photo books.” Once duplications are removed and accounted-for individuals are subtracted, these two photo books include 77 unaccounted-for individuals, all but 10 on the Priority Case or Special Remains lists. The thinking at the time was that since Vietnamese officials took photos of these men at the time of their deaths, the Vietnamese government should be able to repatriate their remains.

As noted above, we have discovered that the fact that the Vietnamese took photos does not necessarily imply that they were later able to recover the remains of the individuals

involved. Combat photography was chiefly a function of the VNA, which published wartime pictures for propaganda purposes. During interviews, a number of combat photographers said they were often dispatched on a one-time basis to a particular location, then typically sent their film to Hanoi for development. PAVN also had a lesser number of battlefield correspondents who worked in a similar manner to take battlefield shots for the VNA and other newspapers. When film arrived in Hanoi, it was usually, but not always, accompanied by a short note indicating the general location where it was taken and by whom. We have found no evidence that the photos were later employed to locate the remains of American casualties.

Lao and Cambodia Border Cases

Approximately 80 percent of Americans unaccounted for in Laos, and 90 percent in Cambodia, were lost in areas controlled by PAVN forces. As we have informed Vietnam on many occasions, our ability to account for these Americans depends on access to Vietnamese witnesses and archives. Available evidence, however, does not justify earlier expectations that Vietnam could unilaterally account for significant numbers of these losses.

Several groups of such cases have been singled out. Currently we are pursuing them though a process that focuses on finding Vietnamese witnesses and documents with information on these losses. In August 1993, the U.S., Lao, and Vietnamese governments agreed on a mechanism for tripartite operations to investigate losses in PAVN-controlled areas of Laos. We have a similar agreement to investigate cases in Cambodia.

Summary

Over the years, U.S. Government agencies, members of Congress, and private citizens created numerous lists of unaccounted-for Americans, with each list representing a particular theme. In many cases, a name appeared on a list because we had evidence that one or more of the Indochinese governments had knowledge of the American, or his or her loss incident, at some time in the past. We have learned, however, that past knowledge does not necessarily imply that these governments could recover the relevant remains.

APPENDIX 3: TRADITIONAL VIETNAMESE BURIAL PRACTICES

Westerners are sometimes puzzled by Vietnam's handling of the remains of Americans killed in Southeast Asia. A quick review of traditional burial practices reveals that the Vietnamese treated American remains much as they did the remains of ordinary Vietnamese citizens.

The Vietnamese do not commonly employ Western embalming techniques. That fact, coupled with Vietnam's tropical climate and its lack of rapid transport, makes it impractical to move a newly deceased person more than a short distance from the place of death to a burial site. For pragmatic reasons, remains are buried relatively quickly and close to the place of death. They are left in place for approximately 3 years to permit complete decomposition and a natural decontamination process to take place. After this period, the remains are exhumed, and with an appropriate ceremony, the skeleton is cleansed, placed in a small ceramic casket, and interred in its final resting-place.

These traditions, dictated by practical considerations, directly influenced the disposition of the remains of Americans. Normally, the body of an American was buried near the place of death. For example, if an aviator died when his aircraft crashed, local villagers or soldiers buried his remains near the crash site. Most losses occurred in close proximity to enemy bivouac areas, military installations, and populated areas; therefore, for hygienic reasons, human remains rarely were left unburied. In some remote and unpopulated areas, however, Vietnamese soldiers indicated that they left remains where they lay and quickly left the scene.

Typically, Vietnamese graves are approximately 1 meter deep, or about one-half the depth of American graves. Dirt is piled on the top of the grave. In contrast to American cemeteries, where grave surfaces are level with their surroundings, Vietnamese graves rise above the surface of the ground in clearly discernible mounds. Depending on circumstances and location (e.g., mountain forest, populated area), an American grave might consist of a hastily dug shallow hole with no markings. Several witnesses reported that they placed remains in a bomb crater or foxhole then covered it over lightly with dirt or rocks. In other instances, particularly in northern Vietnam or in established POW camps, remains were buried in marked graves.

Vietnamese authorities report that when ordered to exhume the remains of Americans, they employed local people to excavate the grave sites. They placed the skeletonized remains in plastic bags, then sent them to district officials. The remains routinely were transferred to province headquarters and eventually to Hanoi. In some areas, district officials received orders to move all American remains in their jurisdictions to a central location to facilitate later collection by province. Consequently, district officials ordered local villagers to disinter the remains from their initial burial sites and move them to a second, centralized burial site. In turn, these remains were later collected and transferred as a group through higher echelons, eventually reaching central government officials in Hanoi.

In the process of repeated moves, some of the skeletonized remains, or portions of them, were subject to loss or damage, and the identity of others became confused. In Thanh Hoa Province, for instance, provincial officials indicate some bags of remains sent to them from the districts also contained associated identification data. In other cases, however, remains and identification media were transferred separately, and province officials had to figure out which belonged with which. This led to at least one mix-up in which Vietnam returned two boxes of remains; each accompanied by identification data relating to the other man. This mix-up was discovered at CILHI during the identification process.

Central directives ordered that personal effects belonging to the Americans be transferred to Hanoi along with the remains. In some areas, Vietnamese officials reported that they bundled personal effects into a second plastic bag, which was placed in the bag containing remains. In other areas, they sent personal effects separately. Again, in the process of transfer, some identification media became separated from the remains, and as a result, Vietnam later repatriated incorrectly identified remains.

Some local Vietnamese officials report that they washed the skeletonized remains before placing them in plastic bags. Other reporting indicates that American remains were cleaned and treated for preservative purposes in Hanoi. The treated remains were placed in plastic bags. If identification media and personal effects were present, they were placed in a separate plastic bag that was then enclosed in the bag holding the remains. One source reported that the Vietnamese photographed both the remains and the identification media and personal effects.

Most of the 23 U.S. POWs who died after entering the central prison system in Hanoi were taken to Hospital 108, where hospital officials prepared a death certificate for each man. All were buried in a special section of Van Dien Cemetery in the southern suburbs of Hanoi. Sometime in 1973, the Vietnamese disinterred the remains of these men, processed them in the traditional manner, placed them in small ceramic caskets, and reinterred them at Ba Huyen Cemetery, Ha Bac Province. They were kept there until repatriation in 1974. U.S. officials examined and photographed the grave sites at both Van Dien and Ba Huyen cemeteries.

APPENDIX 4: ACRONYMS

CILHI	Central Identification Laboratory, Hawaii
COSVN	Central Office for South Vietnam
DoD	Department of Defense
DIA	Defense Intelligence Agency
DMZ	Demilitarized Zone—17th Parallel
DPMO	Defense Prisoner of War and Missing Personnel Office
JTF-FA	Joint Task Force – Full Accounting
MIA	Missing in Action
MND	Ministry of National Defense
MR5	Military Region 5
MR9	Military Region 9
PAVN	People's Army of Vietnam
POW	Prisoner of War
PRG	People's Revolutionary Government
RVNAF	Republic of Vietnam Armed Forces
SNIE	Special National Intelligence Estimate
VNOSMP	Vietnam Office for Seeking Missing Persons